

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3809 OF 2019**

Anil Purushottam Pandya

... Petitioner

V/s.

The State of Maharashtra and Anr.

... Respondent

Mr. Madhukar P. Dalvi along with Mr. Hitendra Parab for Petitioner.

Mr. Ajay Patil, APP for Respondent-State.

Mr. Shivam Dube i/b. Ms. Hetal Jobanputra for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 22nd JUNE, 2023.****PC. :**

1. By the present Petition, the Petitioner, husband has prayed for quashing of C.C.No.3239/PW/2016 pending on the file of learned Metropolitan Magistrate, 68th Court at Borivali, Mumbai arising out of C.R.No.306 of 2015 dated 2nd September 2015 registered with Kasturba Marg Police Station under Sections 498A, 323, 504 and 506 of the Indian Penal Code with the consent of Respondent No.2 i.e. wife of the Petitioner.

2. Respondent No.2 has affirmed an Affidavit dated 17th July 2019 before the Assistant Registrar of this Court. It is stated therein that, after filing of chargesheet, Petitioner and Respondent No.2 have settled their differences amicably and have decided to bury the hatchet and put an end to the litigation which was initiated in the heat of moment due to anger and

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displeasure. That, she has reconciled her differences with the Petitioner to make an endeavour to lead a happy life together along with their children, considering their best interest. Respondent No.2 has given her no objection for quashing of the crime in question.

Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 17th July 2019 and 'no objection' for quashing the crime in question.

3. In view of the above, the Petition is allowed in terms of prayer clause (A).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)