

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 1380 OF 2022**

Mohammed Shafique Shah & Ors.

.....Applicants

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Afsar Ansari i/by Shafi Shaikh for the Applicants.

Ms. G.P. Mulekar APP, for the Respondent-State.

Mr. Jigar Agarwal for Respondent No.2.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 3rd APRIL, 2023.

P.C.:-

1) By the present Application filed under Section 482 of the Code of Criminal Procedure, the Applicant No.1 husband and Applicant Nos.2 to 4, in-laws of Respondent No.2 have prayed for quashing of C.C. No.281/PW/2020 pending on the file of learned Metropolitan Magistrate 57th Court, Kurla Mumbai arising out of C.R. No.183 of 2019 registered with Shivaji Nagar police station, Mumbai under Sections 323, 324, 498A, 504 and 506 read with Section 34 of the Indian Penal Code, by consent of Respondent No.2.

2) Learned Advocate for the Respondent No.2 tendered across the bar an Affidavit dated 3rd April, 2023 duly affirmed by the Respondent No.2 before a Notary Public. It is stated therein that, Respondent No.2 has

resolved all the issues with her husband i.e. Applicant No.1 due to intervention of elderly people of her community. She has confirmed that, she has no objection of whatsoever in nature for quashing and setting aside the said C.C. No.281/PW/2020 pending on the file of learned Metropolitan Magistrate 57th Court, Kurla Mumbai.

Respondent No.2 is personally present in the Court and through her Advocate gave her unequivocal consent for quashing of C.C. No.281/PW/2020 pending on the file of learned Metropolitan Magistrate 57th Court, Kurla Mumbai arising out of C.R. No.183 of 2019 registered with Shivaji Nagar police station, Mumbai.

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

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)

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