

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3503 OF 2022**

Mayur Kumar Vanmala & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Manoj Kumar Tiwari a/w. Sejal Nalawade for Petitioners.

Ms. M.M. Deshmukh, A.P.P. for Respondent No.1-State.

Mr. Pratik Molasi for Respondent No.2.

PSI Mr.M.B. Dhumal, Bhoiwada Police Station, Mumbai.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 6th April 2023.****P.C. :**

1. Petitioners, i.e. husband and in-laws of Respondent No.2, have prayed for quashing of C.C. No.286/PW/2010 pending on the file of learned Metropolitan Magistrate, 29th Court, Dadar, Mumbai, arising out of CR No. 125 of 2010 registered with Bhoiwada Police Station, Mumbai under Section 498(A), 406 read with 34 of the Indian Penal Code, by consent of Respondent No.2.

2. Respondent No.2 has filed Affidavit dated 24th August 2022 duly affirmed before the Assistant Registrar of this Court. Her signature has been identified by her Advocate namely Advocate Fatima Gani.

Respondent No.2 is personally present in the Court and through her Advocate conceded the fact of affirming the said Affidavit and its contents. She has also given her 'no objection' to quash C.C. No.286/PW/2010 arising out of CR No. 125 of 2010.

3. As the present crime is purely arising out of matrimonial discord, we quash C.C. No.286/PW/2010 arising out of CR No. 125 of 2010.

4. Petition is accordingly allowed in terms of prayer Clause (a).

[PRAKASH D. NAIK, J.]

[A.S. GADKARI, J.]

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