

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4335 OF 2019**

Amit Samji Satra and Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Ms.Neha Pandey, for the Petitioners.

Mrs.G.P. Mulekar, APP for Respondent-State.

Mr.Sudhir Korgaonkar, PSI, Kasturba Marg Police Station.

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**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.**

DATE : 25th JULY, 2023

PC. :

1. Husband and in-laws of Respondent No.2 have filed present Petition for quashing of C.C. No.270/PW/2018 pending on the file of Metropolitan Magistrate, 68th Court, Borivali, Mumbai arising out of C.R. No.199 of 2013 registered with Kasturba Marg Police Station, Mumbai under Sections 498-A read with 34 of the Indian Penal Code, with the consent of Respondent No.2.

2. Learned Advocate for the Petitioner submitted that, the Petitioner No.1 and Respondent No.2 have settled the matter amicably and the Family Court at Bandra, Mumbai in Petition No.A-511/2013 was pleased to pass a decree on 18th July 2014, for dissolution of marriage in

terms of Consent Terms filed before it. A photo copy of the said Judgment and Decree is annexed at Exhibit-C to the present Petition. She submitted that, Respondent No.2 has given her consent for quashing of the present case.

3. Respondent No.2 is personally present in the Court. She has been duly identified by the Investigating Officer Shri.Sudhir Korgaonkar, PSI, Kasturba Marg Police Station, Mumbai, Investigating Officer of the present crime. Respondent No.2 tendered across the bar her Affidavit dated 8th March 2023, duly affirmed before a Notary public. The said Affidavit is signed by Respondent No.2 in her maiden name as 'Nikita Gala'. In her Affidavit she has admitted the fact of the filing of the Consent Terms and the amicable settlement between herself and the Petitioners. In paragraph No.2 she has given her 'no objection' for quashing of FIR No.199 of 2013.

Respondent No.2 reiterates the contents of her Affidavit dated 8th March 2023 and her 'no objection' for quashing of the crime in question.

4. In view of the above, Petition is allowed in terms of prayer Clause (a).

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)