

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 1167 OF 2019**

Mohammed Idris Iqbal Mohammed Chaudhari & Ors. ... Applicants

V/s.

The Sr. Police Inspector & Ors. ... Respondents

Mr. Mateen Shaikh for Applicants.

Mrs.M.M. Deshmukh, A.P.P for Respondent Nos.1 & 2-State.

Mr.Muskan Shaikh for Respondent No.3.

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

DATE : 12th July 2023.

P.C. :

1. Applicants i.e. husband (Applicant No.1), father-in-law (Applicant No.2) and married sisters-in-laws (Applicant Nos.3 & 4) of Respondent No.3 have filed present Application under Section 482 of Criminal Procedure Code for quashing of CC No.2028/PW/2013 pending on the file of Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai, arising out of CR No. 125 of 2013, dated 14th March 2013, registered with Mahim Police Station, under Sections 498A, 406 read with 34 of Indian Penal Code, with the consent of Respondent No.3.

2. Learned Advocate for the Applicants submitted that, the Applicants and Respondent No.3 have executed 'Consent Terms' dated 16th

August 2019 before the learned Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai in CC No. 10/DV/2013. In para No.2 thereof, the Respondent No.3 has agreed to withdraw CC No.2028/PW/2013. That present Application is filed in furtherance of the said Consent Terms dated 16th August 2019.

3. Learned Advocate for Respondent No.3 tendered across the bar her Affidavit dated 12th July 2023 duly affirmed before the Assistant Registrar of this Court. In para No.5 thereof the Respondent No.3 has given her 'no objection' for quashing of CC No.2028/PW/2013.

Respondent No.3 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 12th July 2023 and her 'no objection' for quashing the crime in-question.

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

[SHIVKUMAR DIGE, J.]

[A.S. GADKARI, J.]

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