

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3988 OF 2022**

Nilesh Rajendra Singh & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Dilip S. Shinde for Petitioners.

Mr. Ajay Patil, A.P.P. for Respondent No.1-State.

Mr. Sameer Mhatre i/b. Mr. Gajendra Waity for Respondent No.2.

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

DATE : 24th July 2023.

P.C. :

1. Leave to amend to incorporate challenge to RCC No. 687 of 2022 pending on the file of learned Judicial Magistrate First Class, Court No.3, Vasai, District Palghar is granted. Amendment be carried out forthwith.

2. Petitioners i.e. husband (Petitioner No.1), father-in-law (Petitioner No.2), mother-in-law (Petitioner No.3), brother-in-law (Petitioner No.4), wife of Petitioner No.4 (Petitioner No.5), sister-in-law (Petitioner No.6) and husband of Petitioner No.5 (Petitioner No.7) have filed present Petition for quashing of RCC No. 687 of 2022 arising out of CR No. 879 of 2018 registered with Tulinj Police Station, District Palghar, under Section 498A, 354A, 323, 500, 504, 506 read with 34 of Indian Penal Code, with the consent of Respondent No.2, the wife of Petitioner No.1.

3. Learned Advocate for Respondent No.2 submitted that, Respondent No.2 has filed an Affidavit dated 22nd November 2022 duly affirmed before Assistant Registrar of this Court. That, the Respondent No.2 has given her no objection with her free will to quash the said RCC No. 687 of 2022.

In the Affidavit the Respondent No.2 has stated that, she has settled the dispute with the Petitioner No.1 vide Settlement Deed dated 12th July 2022 and now both them are staying separately without any interference in the life of each other and therefore in the interest of both the parties, the present crime be quashed.

4. Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 22nd November 2022 and her 'no objection' for quashing of the crime in question.

5. In view of above, Petition is allowed in terms of prayer Clause (a) and amended prayer Clause (a1).

[SHIVKUMAR DIGE, J.]

[A.S. GADKARI, J.]

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