

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 1136 OF 2022**

Vishwajeet S/o Gaurishankar Roy

... Applicant

V/s.

The State Of Maharashtra And Anr.

... Respondents

Mr. Hubab Sayyed i/b Sayyed Associates for Applicant.

Mrs. M. M. Deshmukh, APP for Respondent No.1-State.

Ms. Naina Sharma i/b Vishwkarma And Associates for Respondent No.2.

**CORAM : A.S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 30th JUNE, 2023.****PC. :**

1. Petitioner, husband of Respondent No.2 has filed present Application under Section 482 of the Cr.P.C. for quashing of R.C.C. No.1101552 of 2012 pending on the file of Judicial Magistrate First Class, 12th Court, Vashi, Navi Mumbai, arising out of C.R. No. 237 of 2012 registered with Nerul Police Station, Navi Mumabi, under Sections 498A, 406 read with Section 34 of the Indian Penal Code, with the consent of Respondent No.2.

2. Respondent No.2 has filed an Affidavit dated 6th October, 2022 duly affirmed before a Notary Public and in para No.3 thereof, she has given her consent for quashing of R.C.C. No.1101552 of 2012 arising out of C.R. No. 237 of 2012.

Learned Advocate for Respondent No.2 on instructions submitted that, Respondent No.2 reiterates the contents of her Affidavit dated 6th October, 2022 and her “no objection” for quashing of said proceedings.

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

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)