

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 206 OF 2023**

Amrik Singh Alias Mika Ajmer Singh And Anr. ... Petitioners

V/s.

State Of Maharashtra And Anr. ... Respondents

Ms. Falguni Brahmbhatt a/w Mr. Farhan Batatawala for Petitioners.

Mr. Ajay Patil, APP for Respondent No.1-State.

Mr. Ayush Pasbola for Respondent No.2.

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

DATE : 15th JUNE, 2023.

PC. :

1. By the present Petition, Petitioners, accused in C.C. No.1294/PW/2006 pending on the file of learned 65th Metropolitan Magistrate, Andheri, Mumbai arising out of C.R. No. 331 of 2006 dated 11th June, 2006, under Sections 354 and 333 read with Section 34 of the Indian Penal Code, have prayed for quashing of the said crime with the consent of Respondent No.2, the informant.

2. Learned Advocate for Petitioners submitted that, Petitioner No.1 and Respondent No.2 have resolved their dispute and in furtherance thereof present Petition is filed for quashing of C.C. No.1294/PW/2006 with the consent of Respondent No.2.

3. Mr. Pasbola, learned Advocate for Respondent No.2 tendered across the bar an Affidavit dated 28th April, 2023 of Respondent No.2, duly affirmed before a Notary Public. In para No.5 thereof Respondent No.2 has stated that, she has not been coerced or influenced to execute the Affidavit and it is executed out of her own free will. In para No.6 thereof, Respondent No.2 has affirmed that, she has no objection if this Court quash said C.C. No.1294/PW/2006.

Learned Advocate for Respondent No.2 on instructions further submitted that, Respondent No.2 reiterates the contents of her Affidavit dated 28th April, 2023 and her “no objection” for quashing of C.C. No.1294/PW/2006 arising out of C.R. No. 331 of 2006.

4. In view thereof, Petition is allowed in terms of prayer clauses “a” and “b”.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)