

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3768 OF 2023**

Sushilkumar Dinesh Gupta And Ors.

...Petitioners

Versus

State Of Maharashtra and Anr.

...Respondents

Mr. Rushikesh Kale Advocate for Petitioner.

Mr. Vignesh Ashokan for Respondent No.2.

Mrs. M. M. Deshmukh, APP for Respondent-State.

Sushilkumar D. Gupta- Petitioner is present.

Reshma S. Gupta – complainant is present.

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**CORAM : PRAKASH D.NAIK &
N. R. BORKAR, JJ.**

DATE : 28th NOVEMBER 2023

P.C.:-

1. Leave to amend prayer clause. Amendment to be carried out forthwith.
2. Petitioners have prayed for quashing criminal proceedings in C.C. No.4153/PW/2023 pending before the learned 17th Metropolitan Magistrate, Borivali, arising out of F.I.R. No. 717 of 2021 registered with Samta Nagar Police Station, Mumbai for offences punishable under Sections 498-A, 406, 504, 506 read with 34 of the Indian Penal Code, 1860.
3. Petitioner No.1 is the husband, Petitioner Nos.2 and 3 are father-in-law and mother-in-law and Petitioner Nos.4 and 5 are sisters-in-law of complainant/Respondent No.2.

4. The complainant is present in the Court. She is identified by Advocate representing her. Applicant No.1 is also present in Court.

5. Joint prayer is made by parties to quash impugned proceedings by consent of respondent No.2. It is submitted that, the parties have buried their differences and decided to reunite. The applicant No.1 and Respondent No.2 are residing together. The matrimonial discord is over and both parties leading happy life. The complainant has filed affidavit consenting for quashing the subject proceedings.

6. In the light of above circumstances, the impugned proceedings are required to be quashed.

ORDER

- (i) Criminal Writ Petition No. 3768 of 2023 is allowed.
- (ii) Criminal proceedings in C.C. No.4153/PW/2023 pending before the learned 17th Metropolitan Magistrate, Borivali, which are arising out of F.I.R. No. 717 of 2021 registered with Samta Nagar Police Station, Mumbai, is quashed and set aside.
- (iii) Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)