

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 1196 OF 2023

Aisha Mustafa Khana And Ors.

...Petitioners

V/s.

The State Of Maharashtra And Anr.

...Respondents

Mr. Akhilesh Singh i/by Legal Brains for Petitioners.

Mrs. G. P. Mulekar, A.P.P. for Respondent No.1-State.

Mr. Abhimanyu R. Pandey for Respondent No.2.

Mr. S.C. Shendage (A.P.I.) Sakinaka Police Station, Mumbai.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 31st MARCH 2023.

PC.:-

1. By the present Petition, the Petitioners/Accused in C.R. No.1938 of 2022 registered with Sakinaka Police Station, Mumbai for offences under Sections 313, 323, 504 & 506 read with Section 34 of Indian Penal Code, have prayed for quashing of the said crime by consent of Respondent No.2, first informant.

2. Learned Advocate for Respondent No.2 submitted that, the Respondent No.2 has affirmed an Affidavit dated 03.01.2023 and in Paragraph No.6 thereof has categorically stated that, she has settled the dispute with the Petitioners amicably. That, the present crime is lodged due to misunderstanding and misconception arising out of personal dispute

between Petitioners and her. That, she is the sister-in-law of Petitioner No.1 and has no objection in quashing the said crime registered against the Petitioners.

3. Even otherwise, perusal of the First Information Report would indicate that, the same was lodged by Respondent No.2, due to disputes and differences basically with the Petitioner No.1, who is her sister-in-law.

Respondent No.2 is personally present in the Court and through her Advocate submitted that, she has affirmed the said Affidavit dated 03.01.2023 willingly and has no objection in quashing present crime i.e. C.R. No.1938 of 2022 registered with Sakinaka Police Station, Mumbai.

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

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)