

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

WRIT PETITION NO. 1737 OF 2024

Karan Hasmukh Modi And Anr
v/s.

.. Petitioners

State Of Maharashtra And Anr

.. Respondents

Mr. Aashish V. Shah for the Petitioners.
Mr. J.P. Yagnik, APP for the Respondent-State.
Mr. Ankit R. Takle for Respondent No.2.

**CORAM : A. S. GADKARI &
SHYAM C. CHANDAK, JJ.
DATE : 9th MAY, 2024.**

PC. :

1) Petitioners i.e. husband; and mother-in-law of Respondent No.2 have filed present Petition under Article 226 of the Constitution of India read with section 482 of Criminal Procedure Code, for quashing of R.C.C.No.1 of 2024 pending on the file of learned Chief Judicial Magistrate, Pune arising out of C.R.No.1215 of 2022 dated 14th December 2022, registered with Hinjewadi Police Station, Pimpri Chinchwad Police Commissionerate, under Sections 498-A, 494, 406, 504, read with 34 of the Indian Penal Code, with the consent of Respondent No.2.

2) Learned Advocate for the Petitioner submitted that, the Petitioner No.1 and Respondent No.2 have filed Consent Terms before the learned J.M.F.C., Vasai, in P.W.D.VA. No.265 of 2019. In furtherance of the

said Consent Terms, Respondent No.2 and Petitioner No.1 have parted their ways. In the said Consent Terms, the Respondent No.2 has agreed to give her consent for quashing of the present crime and in view thereof present Petition is filed.

3) Learned Advocate for Respondent No.2 submitted that, the Respondent No.2 has filed an Affidavit dated 25th April 2024, duly affirmed before a Notary Public. In the said Affidavit the Respondent No.2 has admitted the fact of filing of Consent Terms and as per her statement that she has no grievance if the FIR and Charge-sheet filed against the Petitioner are quashed. She has given her no objection for allowing the Petition for quashing of the said crime.

3.1) The Respondent No.2 is personally present in the Court and though her Advocate reiterates the contents of the Affidavit dated 24th April 2024 and her 'No Objection' for quashing of the crime in question.

4) In view thereof, Petition is allowed in terms of prayer clause (a).

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)