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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
APPLICATION NO. 1633 OF 2023**

- | | | |
|--------|---|----------------|
| 1. | Khaja M. Soofi | |
| 2. | Mrs. Sameena Khaliq
w/o. Jalaluddin Oves Faizuddin Khaja | |
| 3. | Jalaluddin Oves Faizuddin Khaja | ...Applicants |
| Versus | | |
| 1. | State of Maharashtra | |
| 2. | Mrs. Saba Mohiuddin Sofi Khaja
@ Miss Saba Jabbar Mirza | ...Respondents |

Mr. Jigar S. Shah, Ms Asba A. Khatib and Mr. Ronak A. Shah for the Applicants.

Ms M.M.Deshmukh, APP for the Respondent/State.

Ms Radhika S. Sharma for Respondent No.2.

CORAM	:	PRAKASH D. NAIK & N. R. BORKAR, JJ.
DATE	:	9 FEBRUARY, 2024.

PC:-

1. The applicants have approached this Court for quashing the charge-sheet in Criminal Case bearing R.C.C. No. 1381 of 2023 arising out of First Information Report (FIR) registered with Navghar Police Station, Mira-Bhayander vide C.R. No.136 of 2023 for the offences punishable under Sections 498-A, 323, 504 read with 34 of the Indian Penal Code and Section 4 of the Muslim Women (Protection of Rights On Marriage) Act 2019. The FIR was registered at the instance of respondent No.2 on dated 22.02.2023.

2. The applicant No.1 is the husband, applicant No.2 is the mother-in-law and applicant No.3 is the father-in-law of respondent No.2.

3. It is submitted by both the parties that the dispute between the parties had been amicably settled. The applicant No.1 and respondent No.2 had executed Khulanama. The proceedings may be quashed with the consent of respondent No.2/complainant.

4. The complainant is present in the court. She tendered the affidavit. She has admitted the contents of the affidavit and expressed her consent for quashing the impugned proceedings. The affidavit is taken on record.

5. The F.I.R. arises out of the matrimonial discord between the parties. Considering the fact that the parties have resolved the dispute amicably and the affidavit is filed by the complainant giving no objection for quashing the proceedings, the charge-sheet can be quashed.

ORDER

A] The Application is allowed.

B] The proceedings in Regular Criminal Case No. 1381 of 2023 arising out of F.I.R. No.136 of 2023 pending in the Court of Judicial Magistrate First Class, 8th Court Thane are hereby quashed and set aside.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)