

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 86 OF 2024**

1. Pankaj Ashok Sharma	]	
2. Ashok Kumar Sharma	]	
3. Veena Ashok Sharma	]	
4. Rajat Ashok Sharma	]	... Petitioners

V/s.

1. The State of Maharashtra	]	
2. Saraswati Pankaj Sharma	]	... Respondents

Mr. Ram Singh a/w. Mr. V. K. Sharma for Petitioners.

Mr. Vinod Chate, A.P.P. for Respondent No.1-State.

Mr. Ajinkya Gangurde for Respondent No.2.

P.S.I. Mr. Sanjay R. Sahare, Manpada Police Station, Dombivali, present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.**

DATE : 14th August 2024.

P.C. :

1) Husband, father-in-law, mother-in-law and brother-in-law of Respondent No.2 respectively, have filed present Petition under Article 226 of the Constitution of India for quashing of R.C.C. No. 106 of 2024 pending on the file of learned Judicial Magistrate First Class (Court No.3), Kalyan, arising out of CR No. 941 of 2023 dated 15th November 2023 registered with Manpada Police Station, Dombivali, District Thane, under Sections 377,

498A, 323, 504 & 506 read with 34 of Indian Penal Code (I.P.C.) with the consent of Respondent No.2, the informant.

2) Learned Advocate for Respondent No.2 submitted that, the Respondent No.2 has filed on record an Affidavit dated 2nd July 2024 duly affirmed before a Notary Public. It is stated therein that, she and Petitioner No.1 have filed Marriage Petition No. 150 of 2023 before the District and Sessions Court at Kalyan for grant of decree of divorce and to dissolve their marriage. In para No.10 thereof, she has given her consent for quashing of the said case.

2.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 2nd July 2024 and her 'no objection' for quashing of the said case.

3) In view thereof, the Petition is allowed in terms of amended prayer clause (aa).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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