

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 862 OF 2024

Davesh Sahay Srivastava & Ors.

.....Petitioners

Vs.

Rushali Verma & Anr.

.....Respondents

WITH

CRIMINAL WRIT PETITION NO. 865 OF 2024

Mudit Mohan

.....Petitioner

Vs.

Rushali Verma & Anr.

.....Respondents

Mr. Sudarshan M. Desai a/w Mr. Ishaan Patkar for the Petitioners.

Mr. Rohit Joshi a/w Ms. Mitali Dhoble for the Respondent.

Mr. Vinit A. Kulkarni, A.P.P. for the Respondent-State.

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

DATE : 3rd JULY 2024

PC.:-

1) Petitioners in Writ Petition No. 862 of 2024 are the in-laws and the Petitioner in Writ Petition No. 865 of 2024 is the husband of Respondent No. 1.

1.1) By the aforementioned Petitions filed under Article 226 of the Constitution of India, the Petitioners have prayed for quashing of R.C.C. No.

800 of 2022 pending on the file of learned Judicial Magistrate First Class, Cantonment, Pune, arising out of C.R. No. 55 of 2022 dated 25th February 2022 registered with Mundhwa Police Station, Pune City for the offence punishable under Sections 498(A), 506(2), 323, 352 & 504 read with 34 of the Indian Penal Code, 1860 with the consent of Respondent No. 2, victim.

2) Learned Advocate for the Respondent No. 1 tendered across the bar her Affidavit/s dated 24th June 2024, duly affirmed before a Notary Public, in the aforementioned two Petitions. In the said Affidavit/s, Respondent No. 1 has admitted the fact of amicable settlement between her and the Petitioners. That, the Petitioner in Writ Petition No. 865 of 2024 and Respondent No. 1 have already filed proceedings before the Family Court at Pune for divorce by mutual consent. In paragraph no. 8 thereof, the Respondent No. 1 has given her consent to quash and set aside the crime in question. He therefore prayed that, the said case may be quashed with the consent of Respondent No. 1.

2.1) Respondent No. 1 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit/s dated 24th June 2024 and her 'no objection' for quashing of the crime in question.

3) In view thereof, Petitions are allowed in terms of prayer clause (a) of both the Petitions.

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)