

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2813 OF 2024**

Salil Chandrakant Madkaikar

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Manoj S. Singh a/w. Mr. Puneet S. Shukla & Ms. Anjali A. Tripathi i/b.
MKS Legal Associates for Petitioner.

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

Mr. Dishant Chitalia i/b. Enlight Juris for Respondent No.2.

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

DATE : 2nd July 2024.

P.C. :

1) Petitioner, husband of Respondent No.2, has filed present Petition under Article 226 of the Constitution of India read with Section 482 of Criminal Procedure Code for quashing of CC No. 873/PW/2022 pending on the file of learned Additional Chief Metropolitan Magistrate, 24th Court, Borivali, Mumbai, arising out of CR No. 21 of 2022, registered with Charkop Police Station, Mumbai, under Sections 498A, 504, 506 of the Indian Penal Code, with the consent of Respondent No.2.

2) Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 1st July 2024 duly affirmed before a Notary Public. The

Respondent No.2 therein has admitted the fact of amicable settlement. It is stated that, the parties herein have executed consent terms dated 18th September 2023 in Petition No. A-3 of 2022 before the Family Court at Bandra, Mumbai. In para No.13 thereof, the Respondent No.2 has given her 'no objection' for allowing the present Petition in terms of prayer clause (a).

2.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 1st July 2024 and her 'no objection' for quashing of the crime in question.

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

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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