

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1655 OF 2024**

Neelam Nimit Gajjar

.....Petitioner

Vs.

The State of Maharashtra & Ors.

.....Respondents

Mr. Hitesh Patel for the Petitioner.

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

Mr. Kunal V. Phoole for Respondent Nos. 2 & 3.

A.P.I. Mr. Ratilal Tadwi, Borivali Police Station, Mumbai present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 11th JULY 2024****P.C.:-**

1) Petitioner, Accused in C. R. No. 818 of 2023 dated 24th December 2023 registered with Borivali Police Station, Mumbai for the offence punishable under Sections 323, 324 & 325 of the Indian Penal Code, 1860, has invoked jurisdiction of this Court under Article 226 of the Constitution of India read with Section 482 of the Criminal Procedure Code, 1973, for quashing of the said crime with the consent of Respondent Nos. 2 & 3 i.e. the victims of crime.

2) At the outset it is to be noted here that, the Respondent Nos. 2 & 3 are the husband and mother-in-law respectively of the Petitioner.

3) Perusal of the First Information Report indicates that, the

alleged assault took place in the matrimonial house of Petitioner and in a melee which ensued out of a petty quarrel.

4) Learned Advocate for the Respondent Nos. 2 & 3 submitted that, the Respondent Nos. 2 & 3 and the Petitioner have settled their disputes and differences amicably and the Respondent Nos. 2 & 3 have filed a joint Affidavit dated 17th May 2024, duly affirmed before a Notary Public. In the said Affidavit, the Respondent Nos. 2 & 3 have admitted the fact of amicable settlement on mutually agreed terms and in paragraph nos. 6 & 7 thereof, they have given their no objection for quashing of the crime in question.

4.1) Respondent Nos. 2 & 3 are personally present in the Court and through their Advocate reiterates the contents of their joint Affidavit dated 17th May 2024 and their 'no objection' for quashing of the crime in question.

5) In view of the above, Petition is allowed in terms of prayer clause (a).

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)

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