

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1732 OF 2024**

Ketan Prassana Chavan & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Akshay Bankapur the Petitioners.

Mrs. Sangita Phad APP for the Respondent-State.

Mr. Ravi V. Asabe for the Respondent No.2.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 6th MAY, 2024.

PC.:-

- 1) Leave to amend to correct C.R. No. in the pleadings and prayer clause. Amendment be carried out forthwith and in any event, during the course of the day.
- 2) Petitioners i.e. husband (Petitioner No.1); mother-in-law (Petitioner No.2); sister-in-law (Petitioner No.3) and husband of sister-in-law (Petitioner No.4) respectively of Respondent No.2, have filed present Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for quashing of R.C.C. No.385 of 2021 pending on the file of J.M.F.C., Nashik-Road, Nashik arising out of C.R. No.579 of 2020, dated 9th November, 2020, registered with Nashik-Road Police Station, Nashik under Sections 498(A), 323, 504, 506 read with Section 34 of the Indian Penal Code for quashing of the said case with the consent of Respondent No.2.

3) Learned Advocate for the Petitioners submitted that, the Petitioner No.1 and Respondent No.2 have settled their disputes and differences amicably before the 6th C.J.S.D., Thane in Marriage Petition No.350 of 2020 and have executed Consent Terms below Exh-18 thereof. That, in view of the said Consent Terms, the trial Court has passed decree dated 25th November, 2021 in the said Marriage Petition No.350 of 2020. That, in pursuance of the said Consent Terms filed in the Marriage Petition No.350 of 2020, present Petition is filed for quashing of the said case with the consent of Respondent No.2. He therefore prayed that, present Petition may be allowed by quashing of the said case with consent of the Respondent No.2.

4) Learned Advocate for the Respondent No.2 submitted that, the Respondent No.2 has filed an Affidavit dated 12th February, 2024 duly affirmed before a Notary Public. In the said Affidavit, the Respondent No.2 has admitted the fact of amicable settlement and in paragraph Nos.6 and 7 thereof, she has given her consent for quashing of the said case.

4.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 12th February, 2024 and her 'no objection' for quashing of the crime in question.

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

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)