

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.1742 OF 2024**

Mohit Mangesh Mhatre & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Ms. Vaishali D. Padale a/w Swati Pokale, for Petitioners.

Mr. V. A. Kulkarni, APP, for Respondent No.1-State.

Ms. Sapana Sawant, for Respondent No.2.

PSI R. R. Ghadigaonkar attached to Dadar P. Stn. present.

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

DATE : 13th JUNE, 2024.

PC:-

1) Petitioners, i.e., husband, mother in law and brother in law of the Respondent No. 2 have filed the present petition under Article 226 of Constitution of India read with Section 482 of Criminal Procedure Code (Cr.P.C.), for quashing of CC No. 880/PW/2022, pending on the file of learned Additional Chief Metropolitan Magistrate, 5th Court, Dadar, Mumbai arising out of C.R. No. 21 of 2022 dated 17th January 2022 registered with Dadar Police Station under Sections 498A and 354(A) read with 34 of the Indian Penal Code (IPC), with consent of the Respondent No. 2, the informant.

2) Learned Advocate for the Petitioners submitted that, Petitioners

and the Respondent No. 2 have settled and resolved their disputes and differences amicably and the Petitioner No. 1 and the Respondent No. 2 have executed Consent Terms dated 2nd September 2023 in cases bearing no. 47/DV/2022 and A-2049 of 2022 before the Family Court No. 4 at Bandra, Mumbai. That, as per the Consent Terms, the Respondent No. 2 has agreed to give consent for quashing of the case in question. She submitted that the Respondent No. 2 has filed an Affidavit dated 24th January 2024 in the present petition to that effect. She therefore prayed that, the said case may be quashed with the consent of Respondent No. 2.

3) Learned Advocate appearing for Respondent No. 2 conceded to the fact of filing of Affidavit dated 24th January 2024 by the Respondent No. 2 and the contents thereof.

3.1) Respondent No. 2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 24th January 2024 and her 'No Objection' for quashing of the crime in question.

4) In view thereof, petition is allowed in terms of prayer clause (a).

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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