

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1764 OF 2024**

Mr. Mukesh Velaram Choudhary & Ors.Petitioners

Vs.

The State of Maharashtra & Anr.Respondents

Mr. Chaitanya Pramod Dixit a/w Mr. Dhananjay Bhosale for the Petitioners.
Mr. Vinit A. Kulkarni, A.P.P. for the Respondent-State.
Mr. Prathmesh Bhosale i/b Mr. Sandeep Bali for Respondent No. 2.
Ms. Bharti Ingole, P.S.I., Koregao Park Police Station, Pune City present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.
DATE : 27th JUNE 2024**

P.C.:-

1) Petitioners i.e. husband, mother-in-law and father-in-law respectively of Respondent No. 2 have filed present Petition under Article 226 of the Constitution of India read with Section 482 of the Criminal Procedure Code, 1973 for quashing of R.C.C. No. 69 of 2024 pending on the file of learned 2nd Joint Civil Judge, Junior Division and Judicial Magistrate First Class, Pune, arising out of C. R. No. 53 of 2023 registered with Koregaon Park Police Station, Pune for the offence punishable under Sections 498-A, 323 & 504 read with 34 of the Indian Penal Code, 1860, with the consent of Respondent No. 2.

2) Learned Advocate for the Petitioners submitted that, Petitioner

No. 1 and Respondent No. 2 have executed the Consent Terms dated 16th February 2024 in Petition No. P. A. 651/2023 before the Family Court No. 5 at Pune. That, in pursuance of the said Consent Terms, the Respondent No. 2 has given her consent for quashing of the present case. He submitted that, in view of the said Consent Terms, the crime in question may be quashed with the consent of Respondent No. 2.

3) Learned Advocate for the Respondent No. 2 submitted that, Respondent No. 2 has filed an Affidavit dated 3rd April 2024 duly affirmed before a Notary Public. In the said Affidavit, the Respondent No. 2 has admitted the amicable settlement between the parties herein and execution of Consent Terms dated 16th February 2024 before the Family Court at Pune. In paragraph no. 9 thereof, she has given her no objection for quashing of the crime in question.

3.1) Respondent No. 2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 3rd April 2024 and her 'no objection' for quashing of the crime in question.

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

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)

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KOTAWADEKAR

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