

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2482 OF 2024**

Vijaykumar Sambhaji Patil

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Ms. Swatantri Waghmare i/b Maru & Associates for Petitioner.

Mr. V.N. Sagare, A.P.P. for Respondent No.1-State.

Mr. Vijay P. Jain for Respondent No.2.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 21st June 2024.****P.C. :**

(1) Petitioner-accused in R.C.C. No.875 of 2021, pending on the file of learned Judicial Magistrate, First Class, Panvel, arising out of C.R. No.I-424 of 2021 dated 4th August 2021, registered with Panvel Police Station, under Sections 323, 498-A and 377 of Indian Penal Code, has prayed for quashing of the said crime with the consent of Respondent No.2, the informant and wife of the Petitioner.

(2) Respondent No.2 has filed an Affidavit dated 18th June 2024, duly affirmed before a Notary Public. It is stated therein that, Petitioner and Respondent No.2 have settled their issues and in view thereof have filed Consent Terms in a Petition for Divorce on mutual consent before the learned

Civil Judge Senior Division, Panvel for dissolution of their marriage. In para No.7 thereof, she has given her no objection for quashing of the crime in question.

(2.1) Respondent no.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 18th June 2024 and her no objection for quashing of the crime in question.

(3) At this stage, we noticed that, the Petitioner has joined this proceedings through Video Conference for observing the same, by sitting in a car. We deprecate the practice adopted by the Petitioner. It is infact also the duty of Advocate appearing for him to instruct her client not commit such an impropriety. However it is not done by the concerned Advocate.

(4) In view thereof, we direct the Petitioner to pay a cost Rs.10,000/- for such impropriety and breach of discipline, to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

(4.1) Details of the bank account for payment of cost are as under :-

Account Name	:-	Advocates Association of Western India Generation Next.
Account Number	:-	000110110007807.
Bank Name	:-	Bank of India.
Branch Name	:-	Mumbai Main.
IFSC Code	:-	BKID0000001.

(5) In view of the above and subject to payment of cost as above,

Petition is allowed in terms prayer clause (a).

(6) List the Petition for reporting compliance on 19th July, 2024.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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RAJESH VASANT
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Date: 2024.07.01
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