

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2484 OF 2024**

Mukesh Hansraj Bhatia & Anr.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Zaid Ansari a/w Owais Hingora for Petitioners.

Mr. V.A. Kulkarni, A.P.P. for Respondent No.1.

Ms. Trupta Desai for Respondent No.2.

PSI Mr. Prakash Rathod, Santacruz Police Station, Mumbai, present.

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

DATE : 21st June 2024.

P.C. :

(1) The husband and father-in-law, respectively of Respondent No.2, have filed present Petition for quashing of C.R. No.1162 of 2013 dated 8th December 2023, registered with Santacruz Police Station, Mumbai, under Sections 498A, 354A, 323, 509, 504 read with Section 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

(2) At the outset, learned counsel for the Petitioners submitted that, till date, the Police have not filed chargesheet. The said statement is accepted.

(3) Respondent No.2 has filed an Affidavit dated 20th June, 2024 duly affirmed before a Notary Public. It is stated therein that, Respondent

No.2 and Petitioners have settled their *inter se* dispute and have executed Consent Terms dated 9th May 2024 in Petition A-4 of 2024, before the Family Court at Bandra, Mumbai. In para No.3 therefore, she has given her no objection for allowing the Petitioner in terms of prayer clause (a).

(3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 20th June 2024 and her no objection for quashing the crime in question.

(4) Learned counsel for the Petitioners on instructions, submitted that, the Petitioners are duty bound to perform their part of obligation as mentioned in Consent Terms dated 9th May 2024, executed before the Family Court, at Bandra, Mumbai. The said statement is accepted.

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

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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