



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2502 OF 2024

Haresh Narottam Udeshi

.....Petitioner

Vs.

Priyanka Satishkumar Rishi & Anr.

.....Respondents

Mr. Gulestan M. Dubash with Mr. Durgesh P. Jaiswal, for the Petitioner.

Mr. K. Kadam, for Respondent No.1.

Mr. V. N. Sagare, APP, for Respondent No.2-State.

Mr. Ravindra Pawar, HC/060139, Khar Police Station is present.

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

DATE : 24th JUNE, 2024.

PC.:-

1) Husband of Respondent No.1 has invoked jurisdiction of this Court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure for quashing of C.C.No.323/PW/2023 pending on the file of Additional Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai arising out of C.R.No.676 of 2021 registered with Khar Police Station, Mumbai under Sections 498(A), 420, 406, 509, 504 and 506 of the Indian Penal Code.

2) Mr. Kadam, learned Advocate appearing for Respondent No.1 tendered across the bar her Affidavit dated 21st June 2024 duly affirmed before a Notary Public. In paragraph No.5 thereof, Respondent No.1 has

stated that she and Petitioner had filed a Petition bearing No. F-3037 of 2023 under Section 13-B of the Hindu Marriage Act, 1955 for divorce by mutual consent before the Family Court at Bandra, Mumbai. That, Consent Terms were drawn and filed in the said Petition. In the said Consent Terms, she has agreed to give her consent for quashing of the present crime. In paragraph 9 thereof, Respondent No.1 have given her no objection for quashing of the said crime.

2.1) Respondent No.1 is personally present in the Court and through her Advocate reiterates contents of her Affidavit dated 21st June 2024 and her 'no objection' for quashing of the crime in question.

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

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)