

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2681 OF 2024**

Mr. Anoop Kurup & Ors.

.....Petitioners

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Siddharth Pimpale i/b Pan India Legal Services LLP for the Petitioners.

Smt. Madhavi H. Mhatre, A.P.P for the Respondent-State.

Mr. Preston Dias i/b Mr. Kailash R. Tiwari for the Respondent No. 2/First Informant.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 11th JULY 2024****P.C.:-**

1) Petitioners i.e. husband, mother-in-law and sisters-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. 798/2023 pending on the file of learned 4th Judicial Magistrate First Class at Kalyan, arising out of C. R. No. 71 of 2023 dated 27th January 2023 registered with Kolsewadi Police Station, Kalyan for the offence punishable under Sections 498(A), 323, 504, 506 & 507 of the Indian Penal Code, 1860, with the consent of Respondent No. 2.

2) Learned Advocate for the Respondent No. 2 submitted that, the

Petitioner No. 1 and the Respondent No. 2 have resolved their disputes and differences amicably and have executed Deed of Settlement dated 2nd December 2023. That, in pursuance of the said Deed of Settlement, the Respondent No. 2 has given her no objection for quashing of the present case. He submitted that, the Respondent No. 2 has filed an Affidavit dated 3rd April 2024, duly affirmed before a Notary Public. That, the said Affidavit is already placed on record. In the said Affidavit, the Respondent No. 2 has admitted the fact of amicable settlement between the parties and in paragraph no. 5 thereof, she has given her consent to quash the present case against the Petitioners.

2.1) 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.

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

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)

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