

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 2829 OF 2024**

Devang Shantilal Doshi & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Sangharsh Waghmare for Petitioners.

Mr. Vinit A. Kulkarni, A.P.P. for Respondent No.1-State.

Mr. Piyush Todkar a/w. Mr. Himanshu J. Patil for Respondent No.2.

P.S.I. Mr. Sudhir Korgaonkar, Malad Police Station, present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 2nd July 2024.****P.C. :**

1) Petitioners i.e. husband (Petitioner No.1), father-in-law (Petitioner No.3), mother-in-law (Petitioner No.4) and sisters-in-law (Petitioner Nos.2, 5 & 6) respectively of Respondent No.2, have filed present Petition for quashing of Criminal Case No.3726/PW/2023 pending on the file of learned Additional Chief Metropolitan Magistrate, 24th Court, Borivali, Mumbai, arising out of CR No.849 of 2021 registered with Malad Police Station, Mumbai, under Sections 498A, 406, 323, 504, 506 read with 34 of Indian Penal Code, with the consent of Respondent No.2.

2) Learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 2nd July 2024 duly affirmed before a Notary Public. It is stated therein that, the Petitioner No.1 and Respondent No.2 have filed Consent Terms before the Family Court at Bandra, Mumbai in Petition No. F-1088 of 2024 for divorce by mutual consent. In para No.5 thereof, she has given her free consent without coercion or undue influence and 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 2nd July 2024 and her 'no objection' for quashing of the present crime.

3) In view thereof, Petition is allowed in terms of prayer clauses (a) and (b).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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