

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3036 OF 2024**

Mr. Pratik Bapurao Tagade & Ors.

.....Petitioners

Vs.

Mrs. Ruchika Pratik Tagade & Anr.

.....Respondents

Mr. Arun Upadhyay for the Petitioners.

Mr. Vinod Chate, A.P.P. for the Respondent-State.

Mrs. Ruchika P. Tagde, Respondent No. 1 present in-person.

Mr. Satish Pandey a/w Mr. Shiv Mishra for Respondent No. 1.

A.P.I. Mr. Vijay Pawar, Dindoshi Police Station, Mumbai present.

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

DATE : 10th SEPTEMBER 2024.

PC.:-

1) Husband, father-in-law, mother-in-law and sister-in-law of Respondent No. 1 respectively, have filed present Petition under Article 226 of the Constitution of India for quashing of C. R. No. 558 of 2023 dated 10th August 2023 registered with Dindoshi Police Station, Mumbai for the offence punishable under Sections 498-A, 323 and 34 of the Indian Penal Code, with the consent of Respondent No. 1, the informant.

2) Learned Advocate for the Petitioners on instructions submitted that, till date the Police have not filed chargesheet. Learned A.P.P. on instructions concedes to the said fact.

2.1) Learned Advocate for the Petitioners further submitted that, Petitioner No. 1 and Respondent No. 1 have executed Consent Terms dated 28th May 2024 in Petition No. A – 1841 of 2023 before the Family Court at Bandra, Mumbai. That, in pursuance of the said Consent Terms, the Respondent No. 1 has given her consent for quashing of the present case. He submitted that, in view of the said Consent Terms, the crime in question may be quashed with the consent of Respondent No. 1.

3) Learned Advocate for the Respondent No. 1 submitted that, Respondent No. 1 has already filed on record an Affidavit in support of the Petition dated 15th July 2024, duly affirmed before a Notary Public. It is stated therein that, the Consent Terms are filed in Petition No. A – 1841 of 2023 before the Family Court at Bandra, Mumbai and the parties herein have opted for divorce by mutual consent. In paragraph no. 5 thereof, she has given her no objection for quashing of the crime in question.

3.1) Respondent No. 1 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 15th July 2024 and her 'no objection' for quashing of the crime in question.

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

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)