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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3097 OF 2024

Mr. Yogesh Bajarang Adate and ors.

... Petitioners

V/s.

The State of Maharashtra and anr.

... Respondents

Mr. Prathamesh Mondal, for Petitioners.

Ms. Madhavi H. Mhatre, A.P.P. for Respondent-State.

Mr. Akash S. Bhogil i/b Ms.Anita Naik, for Respondent No.2.

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

DATE : 21st August 2024.

P.C. :

1) The husband, mother-in-law and father-in-law of Respondent No. 2 respectively have filed present Petition under Article 226 of the Constitution of India for quashing of C.C. No. 3795/PW/2022 pending on the file of Metropolitan Magistrate, 17th Court, Borivali, Mumbai, arising out of C.R.No. 666 of 2021 registered with Samta Nagar Police Station, Mumbai under Section 498A read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

2) Learned advocate for Respondent No.2 submitted that, the Petitioner No.1 and Respondent No.2 had adopted the process of Mediation in Civil Writ Petition No. 8550 of 2023 and have arrived at an amicable

settlement. He drew our attention to the Minutes of Meeting dated 31st January 2024 conducted by the learned Mediator in that behalf. He submitted that Respondent No.2 has already filed on record her Affidavit dated 8th May 2024, duly affirmed before a Notary Public. In the said Affidavit, Respondent No.2 has admitted the fact of amicable settlement before the learned Mediator in Civil Writ Petition No. 8550 of 2023. In paragraph no. 8 thereof, Respondent No.2 has given her no objection for quashing of the said case.

2.1) Though Respondent No.2 is not personally present in the Court, learned advocate for Respondent No.2, on instructions, admits the contents of her Affidavit dated 8th May 2024 and her 'no objection' for quashing of the said crime.

3) In view of the above, the Petition is allowed in terms of prayer clauses (b) & (b-1).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)