

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3425 OF 2024**

Mrs. Abhilasha Jitendra Khubani & Ors.

.....Petitioners

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Dipak V. Bhalerao i/b Mr. Amey C. Sawant for Petitioner Nos. 1 to 4.

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

Mr. Mukesh Y. Dongarge for Respondent No. 2.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.****DATE : 13th AUGUST 2024.****PC.:-**

1) Petitioners, accused in C. R. No. 1378 of 2023 dated 8th December 2023, registered with Hinjwadi Police Station, Pimpri-Chinchwad, for the offence punishable under Sections 294, 509, 323, 324 & 504 read with 34 of the Indian Penal Code, 1860 (I.P.C.), have invoked jurisdiction of this Court under Article 226 of the Constitution of India for quashing of the said crime with the consent of Respondent No. 2, the informant.

2) Perusal of the First Information Report indicates that, the Respondent No. 2 is the sister-in-law of the Petitioner No. 1. According to us, the Hinjwadi Police Station has incorrectly applied Section 294 of the

I.P.C. to the present crime. It is total non-application of mind of the concerned Officer who has recorded the F.I.R. Be that as it may.

3) Learned Advocate appearing for the Respondent No. 2 tendered across the bar her Affidavit of today's date, duly affirmed before the Assistant Registrar of this Court. It is stated therein that, the parties herein being the close relatives, have arrived at settlement with the intervention of senior members in the family from both the sides and others. In paragraph no. 4 thereof, the Respondent No. 2 has given her consent for quashing of the crime in question.

3.1) Respondent No. 2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit of today's date and her 'no objection' for quashing of the crime in question.

4) In view of the amicable settlement between the parties and taking into consideration the fact that the parties herein are *inter-se* close relatives, we are inclined to quash the C. R. No. 1378 of 2023 dated 8th December 2023, registered with Hinjwadi Police Station, Pimpri-Chinchwad.

5) Petition is accordingly allowed in terms of prayer clause (b).

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)