

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.3451 OF 2024**

Deepchand Kishorilal Gupta & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Adv. Ameya Kulkarni, with Adv. Ramchandra Rai i/b Adv. Jidnyesh Joshi for the Petitioners.

Mr. Anand S. Shalgaonkar APP, for Respondent No.1-State.

Mr. Shreyas Bhatkar, for Respondent No.2.

PSI Tukaram Nagare, Turbhe Police Station, Navi Mumbai.

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

DATE : 19th AUGUST, 2024.

P.C.:-

1) Husband (Petitioner No.1); father-in-law (Petitioner No.2); brother-in-law (Petitioner No.3); mother-in-law (Petitioner No.4) and sisters-in-law (Petitioners No.5 and 6) of the Respondent No.2 respectively, have filed present Petition under Article 226 of the Constitution of India for quashing of the R.C.C.No.1414 of 2019 pending on the file of Judicial Magistrate First Class, Belapur, Navi Mumbai arising out of C.R.No.I-84 of 2019 registered with Turbhe Police Station, Navi Mumbai under Sections 498-A, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 ('IPC') with consent of the Respondent No.2, informant.

2) Learned Advocate for the Respondent No.2 submitted that, the Petitioner No.1 and the Respondent No.2 have settled their disputes and differences and have filed Consent Terms in M.P. No.108 of 2004 before the Family Court at C.B.D Belapur, Navi Mumbai. That, in pursuance of the said Consent Terms, the Respondent No.2 is giving her consent for quashing of the said case mentioned here-in-above.

2.1) He submitted that, the Consent Affidavit of the Respondent No.2 dated 23rd May 2024 duly affirmed before a Notary Public is already filed on record. In the said Affidavit, the Respondent No.2 has admitted the fact of amicable settlement and filing of Consent Terms dated 10th January 2024 before the Family Court at Belapur, Navi Mumbai. In paragraph 6 thereof, she has given her no objection for quashing of the crime in question.

2.2) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 23rd May 2024 and her 'no objection' for quashing of the crime in question.

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

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)