

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.3971 OF 2024**

Jaykumar Anant Sakpal And Ors.Petitioners
Vs.
The State Of Maharashtra & Anr.Respondents

Adv. Vinod Utekar for the Petitioners.
Smt. Anamika Malhotra, Addl.PP for Respondent No.1-State.
Adv. Madhuri V. Waingankar i/b Adv. Raj Chourasia, for Respondent No.2.
Ms. Neha J. Sakpal, Respondent No.2 present in person.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.**
DATE : 12th SEPTEMBER, 2024.

PC:-

- 1) Husband, mother-in-law and brother-in-law, respectively of the Respondent No.2, have filed present Petition under Article 226 of the Constitution of India for quashing of the C.C.No.599/PW/2024 pending on the file of Additional Chief Judicial Magistrate, Dadar camped at Sewree (Court No.62), Mumbai arising out of C.R.No. 10 of 2023 registered with Worli Police Station under Sections 498-A read with 34 of the Indian Penal Code, 1860 ('IPC'), with consent of the Respondent No.2, the informant.
- 2) Learned Advocate for the Respondent No.2 submitted that, the Petitioner and the Respondent No.2 have settled their disputes and differences amicably and have executed Consent Terms dated 5th June 2024 before the Family Court at Bandra, Mumbai in Marriage Petition No. A-

83/2023. That, in pursuance of the said Consent Terms, parties herein have filed present Petition for quashing of the said case.

3) Learned Advocate submitted that, the Respondent No.2 has filed on record an Affidavit dated 9th September 2024, duly affirmed before the Assistant Registrar of this Court. In the said Affidavit, the Respondent No.2 has admitted the fact of filing of Consent Terms before the Family Court at Bandra, Mumbai. In paragraph number 10 thereof, she has given her irrevocable consent to quash the case in question.

3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 9th September 2024 and her 'no objection' to quashing of the crime in question.

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

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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