

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 706 OF 2024**

Vishal Vedprakash Vyas

Age 37 years Indian Inhabitant

Occ. Nil.

Residing at B/105, Building No.12,

Trilok 'Krupa Darshan CHSL, Ashish Complex,

Dahisar (East)

Mumbai-400 068

... Applicant

V/s.

1. Mrs. Kusum Vishal Vyas

Age 38 years, Indian Inhabitant

Occ. Service.

Residing at :

C/o. Mr. Suresh Parasram Makhija

C/701, Dattatray Tower, Phase-1,

Evershine City, Vasai (East)

Tal. Vasai, Dist. Palghar-401 208

2. State of Maharashtra

(At the instance of Tulinj Police Station)

... Respondents

Mr. Abhishek Pareek a/w Jasbeer K Joshi for Applicant.

Mr. Gaurav S. Pandey for Respondent No.1.

Mr. Ashish Satpute, A.P.P. for Respondent No.2-State.

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

DATE : 12th July 2024.

P.C. :

1) Petitioner, accused in R.C.C. No.860 of 2019, pending on the file of Judicial Magistrate First Class (Court No.3), Vasai arising out of C.R. No.78 of 2019 registered with Tulinj Police Station under Sections 498-A,

323, 504 and 506 of the Indian Penal Code, has preferred present Application under Section 482 of the Cr.PC. for quashing of the said case with consent of Respondent No.1, the informant.

2) Learned Advocate for Respondent No.1 tendered across the bar her Affidavit dated 16th April 2024, duly affirmed before a Notary Public. In the said Affidavit, Respondent No.1 has stated that, they have resolved their dispute amicably and have filed Consent Terms in Matrimonial Petition No.286 of 2018 before the Court of Civil Judge, Senior Division at Vasai. Petition under Section 13B of Hindu Marriage Act for divorce by mutual consent has also been filed. In para No.6 thereof, Respondent No.1 has given her consent to quash C.R. No.78 of 2019 registered with Tulinj Police Station and R.C.C. No.860 of 2019 pending on the file of Judicial Magistrate First Class (3rd Court), Vasai.

2.1) Respondent No.1 is personally present in the Court and through her Advocate, reiterates the contents of her Affidavit dated 16th April 2024 and her no 'objection' for quashing the aforesaid crime and the case arising thereof.

4) In view thereof, the Application is allowed in terms of prayer clause (a)

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)