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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.804 OF 2024

Wasim Akram Jaffar Shaikh

s/o. Jaffar Shaikhand & Ors

.....Applicants

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Rafique Ahmed Shaikh, for the Applicants.

Smt. Anamika Malhotra, Addl.PP, for Respondent No.1-State.

Ms. Tanvi Rane, i/b. Mr. Hasan Sayed, for Respondent No.2.

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

DATE : 16<sup>th</sup> JULY, 2024.

P.C.:-

1) Leave to amend to delete Applicant No.2 from the array of Applicants as the said person has already passed away. Amendment be carried out forthwith.

2) Applicants, i.e., husband, mother-in-law, brother-in-law and sisters-in-law respectively of Respondent No.2 have filed present Application under Section 482 of the Code of Criminal Procedure for quashing of the R.C.C.No.3677 of 2021 pending on the file of 23<sup>rd</sup> Joint Civil Judge Junior Division and Judicial Magistrate First Class, Thane arising out of C.R.No.695 of 2019 registered with Mumbra Police Station, District Thane under Sections 498-A, 406, 504 and 507 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

3) Mr. Shaikh, learned Advocate appearing for Applicants

submitted that, the Applicant No.1 and Respondent No.2 have executed Consent Terms dated 15<sup>th</sup> April 2024 in C.C.No.97/DV/2023 before the learned 2<sup>nd</sup> Joint Civil Judge Junior Division and Judicial Magistrate First Class, Thane. That, the trial Court has accepted the said Consent Terms and has disposed of the said case by its Order dated 19<sup>th</sup> April 2024. He submitted that, in view of the amicable settlement between the parties, the present case may be quashed with the consent of Respondent No.2.

4) Learned Advocate appearing for Respondent No.2 submitted that, the Respondent No.2 has filed an Affidavit dated 27<sup>th</sup> June 2024 duly affirmed before the Assistant Registrar of this Court. That, in the said Affidavit, the Respondent No.2 has admitted the fact of amicable settlement and the Order dated 19<sup>th</sup> April 2024 passed by the trial Court. In paragraph 9 thereof, the Respondent No.2 has given her no objection and willful consent for quashing of the said case.

4.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 27<sup>th</sup> June 2024 and her 'no objection' for quashing of the crime in question.

5) In view thereof, the Application is allowed in terms of prayer clauses (a) and (b).

**(DR NEELA GOKHALE, J.)**

**(A. S. GADKARI, J.)**