

URMILA
PRAMOD
INGALE

Digitally signed
by URMILA
PRAMOD
INGALE
Date:
2024.08.27
11:10:42 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 843 OF 2024**

Piyush Birbal Gupta and ors.

... Applicants

V/s.

The State of Maharashtra and anr.

... Respondents

Mr. Mahesh Rajpopat a/w Ms.Akshit Kothari, for Applicants.

Mr. Anand S. Shalgaonkar, A.P.P. for Respondent-State.

Ms.Vishakha Gala, for Respondent No.2.

Applicant No.1-Mr.Piyush Gupta present.

Respondent No.2- Sejal Gupta present.

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

DATE : 21st August 2024.

P.C. :

1) The husband and in-laws of Respondent No.2 have filed the present Application under Section 482 of the Code of Criminal Procedure, 1973 for quashing of C.C. No. 1682/PW/2020 pending on the file of Metropolitan Magistrate, 67th Court, Borivali, Mumbai under Sections 498A, 406 read with 34 of the Indian Penal Code, arising out of C.R.No. 533 of 2018 registered with Goregaon Police Station, Mumbai with the consent of the Respondent No.2, the informant.

2) Learned advocate for Respondent No.2 submitted that, the parties herein i.e. Applicant No.1 and Respondent No.2 have settled their

dispute and differences amicably and have filed Consent Terms dated 3rd May 2024 below Exhibit 9 in Case No. 215/DV/2018 in the Court of Metropolitan Magistrate, Borivali, Mumbai. That in pursuance of the said Consent Terms, the Respondent No.2 is giving her no objection for quashing of the said crime. He submitted that, the Respondent No.2 has already filed on record her Affidavit dated 5th August 2024 duly affirmed before the Assistant Registrar of this Court. In the said Affidavit, the Respondent No.2 has admitted the fact of amicable settlement and filing of Consent Terms. In paragraph no. 4 thereof, the Respondent No.2 has given her no objection for quashing of the said case.

2.1) Respondent No.2 is personally present in the Court and through her advocate reiterates the contents of her Affidavit dated 5th August 2024 and her 'no objection' for quashing of crime in question.

3) In view thereof, the Application is allowed in terms of prayer clauses (a-1) and (a-2).

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)