

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 387 OF 2024

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1. Mr. Sumankumar Sopankumar Jana)
Adult, aged : 35 years,)
 2. Mr. Sopankumar Kanayalal Jana)
Adult, aged : 60 years)
 3. Mrs. Nibotita Sopankumar Jana)
Adult, aged 55 years)
 4. Ms. Rakhi Sopankumar Jana)
Adult, aged 27 years)
- All adults, Indian Inhabitants, residents)
of Flat No.501, 5th floor, New Look)
Apartment, Plot No.236/237,)
Dadar (E), Mumbai 400 014.) ..Applicants

Vs.

1. Mrs. Rajshree Sumankumar Jana)
D/o. Mr. Uttam Kumar Maji)
Hindu Indian Inhabitant of Mumbai)
Adult aged 30 years,)
Occupation : Service,)
Residing at 2204, A Wing, 22nd Floor,)
Palm Beach Residency, Sector – 4,)
Navi Mumbai – 400 706.)
2. The State of Maharashtra)
(through Public Prosecutor, High)
Court, Mumbai))
3. The Senior Inspector of Police,)
Matunga Police Station, Mumbai.) ..Respondents

Mr. Vivek Gupta a/w. Mr. Mohan Raut for Applicants.
Mr. Chandrakant Chavan for Respondent No.1.
Mr. Kiran C. Shinde, APP for Respondents-State.
Ms. Sunita S. Patle, API, Matunga Police Station, Mumbai.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 20th JUNE, 2025.

JUDGMENT (PER : A. S. GADKARI, J.):

1. Husband (Applicant No.1); father-in-law (Applicant No.2); mother-in-law (Applicant No.3) and sister-in-law (Applicant No.4) of Respondent No.1, have filed present Application under Section 482 of the Code of Criminal Procedure, 1973, for quashing of Session Case No.719 of 2023 pending on the file of learned Additional Sessions Judge, Mumbai, arising out of C.R.No.89 of 2021 dated 1st February 2021 registered with Matunga Police Station, Mumbai, under Sections 498-A, 307, 406, 313, 323, 504, 506 read with Section 34 of the Indian Penal Code with the consent of Respondent No.1, first informant.

2. Learned Advocate Mr. Chavan appearing for Respondent No.1 submitted that, the Applicant No.1 and Respondent No.1 have amicably settled their disputes and differences and Respondent No.1 has affirmed the Affidavit, dated 5th February 2025 before the Assistant Registrar of this Court. He tendered across the Bar the said Affidavit of Respondent No.1. It is stated therein that, by a Judgment and Decree dated 28th July 2023,

passed by the Family Court at Bandra, Mumbai, the marriage solemnized between Applicant No.1 and Respondent No.1 has been dissolved, subject to compliance of Consent Terms filed therein. In paragraph No.2 thereof, Respondent No.1 has given her no objection for quashing of the crime in question.

2.1. Respondent No.1 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 5th February 2025 and her 'No Objection' for quashing of the crime in question.

3. In view of the above, Application is allowed in terms of prayer Clause (a).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)