

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3218 OF 2025

Ketalkumar Mahendraprasad Kanojiya & Ors. ... Petitioners

V/s.

State of Maharashtra & Anr. ... Respondents

Mr. A. K. Singh a/w Mr. Piyush A. Singh and Mr. K. A. Singh for Petitioners.
Mr. Vinod Chate, A.P.P for Respondent No.1-State.
Ms. Sheetal R. Gupta for Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 6th AUGUST 2025

PC:-

1) This Petition under Article 226 of the Constitution of India is filed by Husband, Father in law, Mother in law and Sisters in law of Respondent No.2, for quashing of C.C. No. 2090/PW/2024, pending on the file of Additional Chief Metropolitan Magistrate, 67th Court, Borivali at Mumbai, arising out of C.R. No. 609 of 2023 dated 30th August 2023, registered with Dindoshi Police station, Mumbai, under Sections 498-A, 323, 504 and 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

2) Ms. Gupta, learned Advocate appearing for Respondent No.2 submitted that, Respondent No.2 has already filed on record her affidavit

dated 3rd July 2025, duly affirmed before a Notary Public. It is stated therein that, Respondent No.2 has decided to take divorce by mutual consent with Petitioner No.1 and therefore she is not desirous to proceed with the aforesaid criminal crime. In paragraph 4 thereof, Respondent No.2 has stated that, she has no objection for quashing of C.C. No. 2090/PW/2024, pending on the file of Additional Chief Metropolitan Magistrate, 67th Court, Borivali at Mumbai.

2.1) Though Respondent No.2 is not personally present in the Court, learned Advocate Ms. Gupta submitted that, Respondent No.2 has given her authority to admit the contents of her affidavit dated 3rd July 2025 and to give her 'no objection' for quashing of the said crime. The statement is accepted.

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

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)