

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3867 OF 2025**

Akshay Dewani S/o Kishore Dewani

... Petitioner

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Shyam Dewani a/w Adv. Sachet Makhija i/b Dewani Associates for Petitioner.

Smt. M.M. Deshmukh, A.P.P. for Respondent No.1-State.

Ms. Taubon Irani for Respondent No.2.

Mr. Rajendra Shinde, PSI, Malbar Hill Police Station, Mumbai, present.

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

DATE : 22nd July 2025.

P.C. :

1) Petitioner, accused in C.C. No.534/PW/2018, pending on the file of learned Judicial Magistrate First Class (Court No. 40), Girgaon, Mumbai, arising out of C.R.No.78 of 2018, dated 15th September 2018, registered with Malbar Hill Police Station, Mumbai, punishable under Sections 498-A, 323, 504 and 506 of the Indian Penal Code (IPC), has invoked jurisdiction of this Court under Article 226 of the Constitution of India, for quashing of the said case with the consent of Respondent No.2, the informant.

2) Heard, Mr. Dewani, learned Advocate for the Petitioner, Ms.

Deshmukh, learned APP for Respondent No.1-State and Ms. Irani, learned Advocate for Respondent No.2. Perused record.

3) Ms. Irani, learned Advocate for Respondent No.2 tendered across the bar her Affidavit dated 22nd July 2025, duly affirmed before a Notary Public. It is stated therein that, the Petitioner and Respondent No.2 have filed Consent Terms dated 10th July 2025 before the Family Court at Bandra, Mumbai, in the divorce proceedings bearing No.A-2049 of 2018 and the marriage between the Petitioner and Respondent No.2 has been dissolved. In para No.3 thereof, it is stated that, Respondent No.1 does not want to pursue litigation and withdraw all allegations levelled against the Petitioner in view of said settlement.

3.1) Though, Respondent No.2 is not personally present in the Court, Advocate Ms. Irani on instructions from Respondent No. 2 admits the contents of her Affidavit dated 22nd July 2022 and gives 'No Objection' for quashing of the crime in question.

4) In view thereof, Petition is allowed in terms of prayer clause (a).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)