

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 5932 OF 2019

Vishal Lilaram Akatrai

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

WITH

CRIMINAL WRIT PETITION NO. 3898 OF 2025

Lilaram Odharmal Akatrai & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Shivraj Kunchge for Petitioners in both Writ Petitions.

Mrs. Prajakta P. Shinde, A.P.P. for Respondent No.1-State.

Dr. Uday P. Warunjikar (appointed through Legal-Aid) a/w Ms. Sonali R. Chavan for Respondent No.2.

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

DATE : 20th AUGUST 2025

PC.:-

1) Petitioners i.e. Husband, Father-in-law, Mother-in-law and Brother-in-law of Respondent No.2, have filed these Petitions for quashing of Sessions Case No. 152 of 2020, pending on the file of learned Additional Sessions Judge, Pune, arising out of C.R. No. 0508 of 2019 dated 19th

September 2019, registered with Wanwadi Police Station, Pune City, under Sections 376, 377, 498A, 323, 504 and 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

2) Mr. Warunjikar, learned Advocate appointed by Legal-Aid to represent Respondent No.2 submitted that, Respondent No.2 has already filed on record her Affidavit dated 9th January 2025, duly affirmed before the Assistant Registrar of this Court. He submitted that, the parties herein have executed Consent Terms dated 22nd October 2024 and have filed it in Civil Writ Petition No. 13992 of 2023 before the learned Single Judge of this Court. That, the said Consent Terms have been accepted and the said fact is recorded in Order dated 22nd October 2024 passed therein. It is submitted that, in pursuance of the said Consent Terms, Respondent No.2 is giving her consent for quashing of the crime in question.

2.1) Perusal of Affidavit of Respondent No.2 indicates that, the fact of filing of Consent Terms dated 22nd October 2024; the fact of amicable settlement between the parties and the fact of filing of Consent Terms in Civil Writ Petition No.13992 of 2023 are admitted therein. In paragraph 5 thereof, Respondent No.2 has given her consent for quashing of the present crime.

2.2) Respondent No.2 is personally present in Court and through her Advocate, reiterates the contents of her Affidavit dated 9th January 2025 and her 'no objection' for quashing of the crime in question.

3) Mr. Kunchge, learned Advocate appearing for Petitioners, on instructions, submitted that, even though this Court quashes the crime in question, the Petitioner in Writ Petition No. 5932 of 2019 will adhere to the statements made by him in the Consent Terms and will comply it without any demur or protest. The said statement is accepted as an undertaking given to this Court.

4) In view of the above, both the Petitions are allowed in terms of prayer clauses (b).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)