

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4319 OF 2025

- | | | | |
|----|----------------------------|---|-----------------|
| 1) | Siddesh Vivekanand Sarnaik |] | |
| 2) | Vivekanand D. Sarnaik |] | |
| 3) | Ujwala V. Sarnaik |] | ... Petitioners |

V/s.

- | | | | |
|----|--------------------------|---|----------------|
| 1) | The State of Maharashtra |] | |
| 2) | XYZ |] | ...Respondents |

Mr. Aditya R. Mokashi for Petitioners.

Mr. Ajay S. Patil, A.P.P. for Respondent No.1.

Ms.Afreen Shaikh a/w. Mr.Suhail Shariff, Mr.Samar Pal i/b. Falcon Legal for Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 12th AUGUST, 2025

PC.:-

1) Husband, father-in-law and mother-in-law of Respondent No.2 have filed this Petition under Article 226 of the Constitution of India, for quashing of the C.C.No. 1057/PW/2023 pending on the file of Judicial Magistrate First Class (65th Court), Andheri, Mumbai, arising out of

C.R.No. 507 of 2019 dated 3rd October, 2019, registered with Andheri Police Station, Mumbai under Sections 498-A, 406, 354(A), 509, 323, 504, 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2, the informant.

2) Ms. Shaikh, learned Advocate appearing for Respondent No.2 submitted that Respondent No.2 has already filed on record her Affidavit dated 1st August, 2025, affirmed before a Notary Public. The fact of amicable settlement and receipt of permanent alimony towards full and final settlement is admitted therein. In Para No.8 thereof, Respondent No.2 has stated that, she irrevocably grant her consent by free will for quashing of the said case/crime.

3) Though the Respondent No.2 is not personally present in the Court, learned Advocate Ms. Shaikh submitted that, Respondent No.2 has given her authority to admit the contents of her Affidavit dated 1st August, 2025 and to give 'No Objection' on her behalf for quashing of the crime in question. The said statement is accepted.

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

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)