

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (A.P.L.) NO. 100 OF 2025**

Mushir Mehmood Alam Ansari

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Maaz Ansari for Applicant.

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

Ms. Vidhya Shet for Respondent No.2.

Respondent No.2 is present in person.

Mr. Mininath Walekar, Dongri Police Station, Mumbai, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.****DATE : 5th August 2025.****P.C. :**

1) This Application under Section 482 of the Criminal Procedure Code, (Cr.P.C.), preferred by the husband of Respondent No.2, is for quashing of C.C. No. 505/PW/2021, pending on the file of learned Metropolitan Magistrate (70th Court), Mazgaon, Mumbai, arising out of C.R. No. 199 of 2019, dated 28th November 2019, registered with Dongri Police Station, Mumbai, punishable under Sections 354, 498-A, 406, 323 and 504 read with 34 of the Indian Penal Code (IPC), with the consent of Respondent No.2, the victim.

2) Record indicates that, there were in all four accused in the present crime. However, by a speaking Order dated 17th October 2023, passed by the co-ordinate Bench in Criminal Application No. 251 of 2021, crime against

original accused Nos. 2, 3 and 4 is quashed and it is now pending only against the Applicant.

3) Ms. Shet, learned Advocate for Respondent No.2 submitted that, Respondent No.2 has already filed on record her Affidavit dated 1st August 2025. However, the pleadings therein are cryptic. She therefore tendered across the bar an Affidavit of Respondent No.2, dated 5th August 2025, duly affirmed before the Assistant Registrar of this Court. It is stated therein that, the Applicant and Respondent No.2 have executed Consent Terms dated 14th January 2025 before the learned Metropolitan Magistrate (70th Court), Mazgaon, Mumbai in CC No. DV/55/2020 along with C.C. No. 505/PW/2021. That, on 19th July 2025, their marriage has been dissolved by way of pronouncement of Talaq as per their personal law before the Quazi of Darul Qaza through Mubaratnama. In para No. 10 thereof, she has stated that, she does not wish to proceed with the present crime and gives her consent by free will to quash the crime in question.

3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 5th August 2025 and her 'No Objection' for quashing of the crime in question.

4) In view thereof, Application is allowed in terms of prayer clauses (a) and (d).

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)