

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (A.P.L.) NO. 502 OF 2025**

Shailesh Nagorao Tambde

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Viral Rathod a/w Ms. Ankita Pandey i/b Mr. Rakesh Kumar Singh for Applicant.

Smt. M.M. Deshmukh, A.P.P. for Respondent No1-State.

Ms. Amita Chaware for Respondent No.2.

Respondent No.2 is present in person.

Mr. D.N. Dhole, A.P.I. Manpada Police Station, Thane, present.

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

DATE : 31st July 2025.

P.C. :

1) Leave to amend to give correct description of case number in prayer clauses and correct the surname of Respondent No.2 in the cause title, granted.

1.1) Amendments be carried out forthwith.

2) Husband of Respondent No.2 (Applicant) has filed this Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for quashing of R.C.C. No. 243 of 2025, pending on the file of

learned Judicial Magistrate First Class (3rd Court), Kalyan, Dist. Thane, arising out of C.R. No. 1318 of 2024, dated 30th November 2024, registered with Manpada Police Station, Dombivli (East), Dist. Thane punishable under Sections 115(2), 351(2), 352 and 85 of the Bharatiya Nyaya Sanhita (BNS), 2023, with the consent of Respondent No.2, the informant.

3) Ms. Chaware, learned Advocate appearing for Respondent No.2 tendered across the bar her Affidavit dated 31st July 2025, duly affirmed before a Notary Public. It is stated therein that, the learned Judge of the Family Court at Nagpur has pleased to pass a Decree of divorce on 5th April 2025. That, the said Decree of divorce was granted on the basis of Consent Terms executed between the Applicant and Respondent No.2. In para No.3 thereof, Respondent No.2 has stated that, she has no objection for quashing of 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 31st July 2025 and her 'No Objection' for quashing of the case in question.

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

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)