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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 778 OF 2025

- 1) Sandeep Gulabdhar Tiwari]
Aged 35 years or about,]
Occupation : Service,]
Indian Inhabitant,]
Mobile No.7208167367]
Email : sandeeptiwari3591@gmail.com]
- 2) Gulabdhar Kamleshankar Tiwari]
Aged 60 years or about,]
Occupation : Farming,]
Indian Inhabitant]
- 3) Malti Gulabdhar Tiwari]
Aged 57 years or about,]
Occupation : Housewife,]
Indian Inhabitant]
- 4) Rajdhar Kamleshankar Tiwari]
Aged 55 years or about,]
Occupation : Farming,]
Indian Inhabitant]
At present Residing at]
Sanjay Nagar, Near Durga Mata,]
Laljiipada, Kandivali (West),]
Mumbai – 400067] ... Applicants

V/s.

- 1) State of Maharashtra]
Through Kandivali Police Station]
- 2) Mrs.Pratima Sandeep Tiwari]
Aged 32 years or about,]
Occupation : Teacher,]
Indian Inhabitant, presently residing]
at Azmi Nagar, Room No.44,]
Akashwadi Sahyog, A.S.Noormani Road]

Malwani Gate No.7, Near Madina]
Masjid, Malad (West),]
Mumbai-400095]
Mobile No. 9076039717]
Email : tiwaripratima68@gmail.com] ...Respondents

Mr. Dinesh G. Mishra for Applicants.

Smt. Savita M. Yadav, A.P.P. for Respondent No. 1 – State.

Ms.Harshita Nag for Respondent No.2.

Mr. Gajanand Mekhale, PSI, Pairvi Officer, Kandivali Police Station, Mumbai present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 23rd JULY, 2025

PC.:-

1) Applicants, i.e. husband (Applicant No.1); father-in-law (Applicant No.2); mother-in-law (Applicant No.3) and brother of Applicant No.2 (Applicant No.4) have filed this Application under Section 482 of Criminal Procedure Code, for quashing of C.C. No. 303/PW/2018 pending on the file of Judicial Magistrate First Class (17th Court), Borivali, Mumbai, arising out of C.R. No. 235 of 2017, dated 17th June, 2017, registered with Kandivali Police Station, Mumbai,, under Sections 498-A, 406, 323, 504, 506 read with 34 of the Indian Penal Code, with the consent of Respondent No.2.

2) Ms. Nag, learned Advocate for Respondent No.2 submitted that, she will file her Vakalatnama during the course of the day. The said

statement is accepted as an undertaking given to this Court.

3) Ms. Nag, learned Advocate for Respondent No.2 tendered across the bar, her Affidavit dated 23rd July, 2025, duly affirmed before a Notary Public. It is stated therein that, in Marriage Petition No. A-340 of 2023, the Petitioner No.1 and Respondent No.2 have executed Consent Terms. That, the Petitioner No. 1 has deposited the full and final settlement amount of Rs.5,00,000/- in the Family Court, Bandra, Mumbai. In Para No. (7) thereof, the Respondent No.2 has given her '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 23rd July, 2025 and her 'No Objection' for quashing of the crime in question.

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

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)