

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
AURANGABAD BENCH, AT AURANGABAD.**

**Criminal Application No. 1353 of 2015**

1. Ramesh s/o. Uttamrao Puranik,  
Age : 65 years,  
Occupation : Pensioner.
2. Sow. Sarojani w/o. Ramesh Puranik,  
Age : 60 years,  
Occupation : Household.

Both R/o. Flat No. 101, Classic Residency,  
Uttaranagari, Near Dhoot Hospital,  
Aurangabad.

3. Nilesh s/o. Ramesh Puranik,  
Age : 34 years,  
Occupation : Service.
4. Yogesh s/o. Ramesh Puranik,  
Age : 31 years,  
Occupation : Private job.

Both R/o. as above.

.. Applicants.

**versus**

1. The State of Maharashtra,  
Through Investigation Officer,  
Police Station MIDC, Chikalthana,  
Aurangabad.
2. Pallavi Nilesh Puranik,  
Age : 30 years,  
Occupation : Household,  
R/o. BH-1/76, Thakare Nagar,  
N-2, CIDCO, Aurangabad.

.. Respondents.

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*Mr. P.B. Gapat, Advocate, for the applicant.*

*Mr. M.M. Nerlikar, Additional Public Prosecutor, for respondent no.1.*

*Mr. H.H. Padalkar, Advocate, for respondent no.2.*

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**CORAM : S.S. SHINDE &  
A.M. BADAR, JJ.**

**DATE : 19TH AUGUST 2015**

**ORAL JUDGMENT (Per S.S. Shinde, J.) :**

1. Heard learned Counsel for respective parties.
2. Rule. Rule made returnable forthwith. By consent, taken up for final disposal.
3. This Application is filed with following prayer clause :  
  
(B) The proceedings bearing R.C.C. No. 1627/2014, arising out of Crime No. I-74/2014, pending before Xth Judicial Magistrate (First Class), Aurangabad, may kindly be quashed and set aside.
4. In pursuance to the notice issued to the respondents, respondent no.2 has filed Compromise Pursish. Paras 1 to 3 of the said

Compromise Pursish read thus :

[1] That, the respondent no.2 has filed complaint against the applicants for the offences punishable under Sections 498A, 323, 504, 506, 34 of Indian Penal Code.

[2] That, the matter has been amicably settled between the parties on 10-8-2015 and same is already placed on record and the respondent no.2 has no grievance against the applicants. The applicant no.3 and respondent no.2 have filed proceedings for divorce by mutual consent, bearing No. F-143/2015, before the Family Court at Aurangabad.

[3] That, both the parties are agreed that they will withdraw all the proceedings initiated against each other. Therefore, applicants and respondent no.2 prays that the proceedings bearing R.C.C. No. 1627/2014, arising out of FIR No. I-74/14, dated 8-5-2014, pending before Xth Judicial Magistrate (First Class) at Aurangabad, may kindly be quashed and set aside.

5. Respondent no.2 (original complainant) is present before this Court. On interrogating with her, she stated that the compromise between

the parties is voluntary act and without any coercion. She has further stated that she has no objection to allow this Application.

6. We have considered the submissions advanced by the learned Counsel for respective parties. We have also perused the averments in the Compromise Pursish and other documents placed on record. Looking to the material placed on record, we are of the opinion that in order to secure ends of justice and prevent abuse of process of the Court, it is desirable to accept the Compromise Pursish placed on record by the respective parties.

7. In the light of Compromise Pursish placed on record by the respective parties, the Application is allowed in terms of prayer clause “B”.

8. Rule made absolute accordingly.

**( A.M. BADAR )**  
**JUDGE**

**( S.S. SHINDE )**  
**JUDGE**

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