

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3806 OF 2014

SHAIKH MAAZ SHAIKH ZUBAIR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Naseem R. Shaikh
APP for Respondent/State : Mrs. P.J. Bharad
Advocate for Respondent No.2 : Adilfadil Z. Biyabani

CORAM : S.S. SHINDE & A.M. BADAR, JJ.
DATE : 22nd JANUARY, 2015.

PER COURT:

1] Heard.

2] This application is filed with following prayer :-

[a] That the proceeding in C.R. No. I-23/2014 registered at City Chowk Police Station, Aurangabad, U/s 498-A, 323, 504, 506 r/w 34 of Indian Penal Code, may kindly be quashed and set aside in view of the compromise settled between the parties.

3] The applicant and respondent No.2 have filed a joint application for quashing the proceedings in C.R. No. I-23/2014 registered at City Chowk Police Station, Aurangabad, U/s 498-A, 323, 504, 506 r/w 34 of Indian Penal Code, in view of the compromise between the parties. The counsel for parties have tendered across the bar joint application for quashing the proceedings in C.R. No. I-23/2014 registered at City Chowk Police Station, Aurangabad, U/s 498-a, 323, 504, 506 r/w 34 of Indian Penal Code, in view of the compromise arrived at between the parties inter-se.

4] We have carefully perused the terms of the compromise. The applicant and also respondent No.2 are present before this court. They are identified by the respective counsel appearing for them. We have interacted with the applicant and the respondent No.2. They have stated that the compromise arrived at between the parties is without any coercion. The nature of dispute between the parties is matrimonial in nature. It appears that they have resolved the dispute. In view of the judgment of the Honourable Supreme Court, in the matter of "*Gian Singh Vs. State of Punjab and another*" reported in (2012) 10 SCC 303, prayer made by the parties deserves acceptance. No fruitful purpose will be served by continuing the proceedings since the complainant is not going to support the allegations in the complaint. In order to secure ends of justice and to avoid abuse of process of court, in our opinion, the application deserves to be allowed. Accordingly, the application is allowed in terms of prayer clause (A). Rule made absolute accordingly. Application stands disposed of.

[A.M. BADAR]
JUDGE

[S.S. SHINDE]
JUDGE.

grt/-