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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.867/2015

Shivraj Madhav Kala & others.
...Petitioners..

Versus

The State of Maharashtra & others.
...Respondents...

.....

Shri R.D. Biradar, Advocate for petitioners.
Smt.Rashmi P. Gour, APP for respondent nos.1 & 2.
Shri Sudhir K. Chavan, Advocate for respondent no.3.

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**CORAM: A.B. CHAUDHARI &
INDIRA K. JAIN, JJ.**

DATE: 14.10.2015

ORDER :

1] Heard learned counsel for the parties. Rule. Rule is made returnable forthwith and with the consent of learned counsel for the parties, the petition is taken up for final disposal.

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2] Following is the prayer in this writ petition :

"A] To quash and set aside the F.I.R. dtd. 09/05/2015 in Crime No.I-105 registered to Chikalthana Police Station u/s 498-A, 406, 504, 506 r/w 34 of I.P.C. against the petitioners nos.1 to 7."

3] The respondent no.3 - complainant is present before the Court and is represented by her Advocate Shri Sudhir K. Chavan and she is identified by him. We have verified from her about her intention to compound the offences mentioned in the above prayer clause. She states that her husband died and she does not want to continue with the prosecution against the present petitioners in respect of the aforesaid FIR in order to live peacefully and in order that no further harassment is caused to the parties to the petition.

4] Compromise Purshis verified by the parties is filed on record and is marked as Exhibit X for identification.

5] Owing to the fact that the respondent no.3 is alone and considering the relationship with the petitioners, in our opinion, the decision in the case of *Gian Singh v. State of Punjab & another* (2012) 10 SCC 302, be pressed into service in order to allow compounding of the offences in question.

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6] In the result, we make the following order.

ORDER

Rule is made absolute in terms of prayer clause A.
The writ petition is disposed of accordingly.

(INDIRA K. JAIN, J.)

(A.B. CHAUDHARI, J.)