

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4438 OF 2015

RAMDAS PRAKASH KUMAVAT (MORWAL) AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Abhishek M. Hajare
APP for Respondent No. 1 : Mr. A. S. Shinde
Advocate for Respondent No. 2 : Mr. S. B. Chavan
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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 21st DECEMBER, 2015

P.C. :-

1. The present application is filed for quashing the complaint bearing Crime No. 151/2013 pursuant to which, Sessions Case No. 136/2014 is pending in the court of learned Sessions Judge-2 at Jalgaon, for the offences under Sections 363, 366(A), 506 r/w 34 of IPC.

2. The complainant is one Savita Dilip Khodpe. The said complaint is filed on the ground that the present applicant No. 1 has kidnapped her daughter Bhagyashree. Now, said Savita Khodpe has filed an affidavit in reply stating that the said complaint was filed in anger. Applicant No.1 is her son-in-law and her daughter and applicant No. 1 are happily married. They also have a daughter from the said wedlock and the complainant does not want to proceed with the said complaint. Said Bhagyashree has also filed an affidavit stating that she is residing with

Ramdas s/o Prakash Kumavat i.e. applicant No.1. He is her husband, and on 08.10.2014, has married with applicant No.1. They also have a daughter namely Divya.

3. The said persons i.e. the complainant Sau Savita Dilip Khodpe and the girl Sau Bhagyashree Ramdas Kumavat are present before the Court. They admit the contents of their affidavits. The complainant is identified by lawyer Mr. Chavan and the girl Bhagyashree is identified by advocate Mr. Hajare.

4. Considering the fact that applicant No.1 and the daughter of complainant are married, they both are major and have also a daughter from their wedlock, and that the complainant also does not want to proceed with the complaint and accepts applicant No.1 as her son-in-law, we accept the affidavits filed by the complainant and her daughter.

5. In light of the above, the Sessions Case No. 136/2014, pursuant to the complaint bearing Crime No. 151/2013, pending with the learned Sessions Judge-2, Jalgaon, is quashed and set aside.

6. Criminal Application is accordingly disposed of.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)