

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5599 OF 2013

Sudam s/o. Bappasaheb Pund and Ors. **....Applicants.**

Versus

The State of Maharashtra and Ors. **....Respondents.**

Mr. S.D. Bade, Advocate for applicant.

Mr. K.S. Patil, APP for respondent Nos. 1 and 2/State.

Mr. R.V. Gore, Advocate for respondent No. 3.

**CORAM : T.V. NALAWADE &
SMT. I.K. JAIN, JJ.**
DATED : 17th March, 2015.

ORDER :

1. The application is filed under section 482 of Cr.P.C. for quashing of R.C.C. No. 512/2013, which is presently pending in the Court of J.M.F.C. Aurangabad. The case is filed for offences punishable under sections 498-A, 323, 504 r/w. 34 of I.P.C. The learned counsel for respondent/wife made a statement that the parties have settled the dispute and they have taken divorce by mutual consent. Copy of proceeding of mutual divorce is produced on the record.

2. The chargesheet shows that out of matrimonial

dispute the report was given and the charge sheet came to be filed. In view of nature of dispute and subsequent development, this Court holds that it will be abuse of process of law, if the proceeding is allowed to be continued.

3. In the result, the application is allowed. The proceeding bearing R.C.C. No. 512/2013 presently pending in the Court of J.M.F.C., Aurangabad is hereby quashed and set aside.

[SMT. I.K. JAIN, J.]

[T.V. NALAWADE, J.]

ssc/