

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

CRIMINAL APPLICATION NO. 5643 OF 2015

UZMABI W/O SHAIKH SALEEM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...
Advocate for Applicants : Mr. Patel Khizer
APP for Respondents: Mr. S.D.Kaldate
Advocate for Respondent No.2 : Mr. Mujahed Ul Haque

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CORAM : A.V. NIRGUDE & V.K. JADHAV, JJ.
Dated: October 27, 2015

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PER COURT :-

1. This application seeks quashing of First Information Report dated 4.9.2015 in Crime No.3049/2015 registered by Partur Police Station. The applicants are the accused persons. The offence punishable u/s 323, 504, 506 read with Section 34 of the Indian Penal Code and offence under section 3 (1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 are alleged against them. We perused the First Information Report and realized that, it does not contain allegations which would constitute prima facie offence punishable 3 (1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. In view of this, application deserved to be allowed at least to the extent of quashing of the proceeding with regard to offence punishable u/s 3 (1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

3. At this stage, learned counsel for the complainant/respondent no.2 stated that his client has amicably settled the dispute with the applicants/accused. In support of this statement, he submitted an affidavit of respondent no.2 complainant Chandrakalabai Navnath Pochar, in which she has categorically stated that she would not continue with her complaint.

4. Application should, therefore, succeed fully. Application is allowed in terms of prayer clause 'B'.

5. Criminal application stands disposed of.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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aaa/-