

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 831 OF 2014

Sambhaji Shivaji Kale & Ors. .. Applicants

Versus

State of Maharashtra & Anr. .. Respondents

Mr. Yuvraj P. Narvankar, Advocate for the applicants

Smt. P. P. Bhosale, APP for the respondent-State.

Mr. Pravin Nadkarni, Advocate for the respondent No. 2.

Ms. Surekha Sambhaji Kale – Respondent No. 2 (complainant),
present in Court.

CORAM:-M.L. TAHALIYANI,J.

DATED : -20/01/2015

P.C.

This is an application u/s 482 of IPC for quashing the conviction recorded by the learned Judicial Magistrate, First Class, Saswad, against the applicants. The FIR was lodged on the complaint made by respondent No. 2 Ms. Surekha Sambhaji Kale. After the investigation, charge-sheet was filed and the applicants were convicted for the offence punishable u/s 498A of IPC, by judgment and order dated 1st of January, 2011. An appeal has been filed against the said conviction order. During the pendency of

appeal, the parties have come to settlement and consent terms have been filed in the Courts, where their various proceedings are pending. In view of the amicable settlement of disputes, it is submitted that the conviction recorded by the learned Magistrate against the applicants may be quashed.

2 Respondent No. 2 Ms. Surekha Sambhaji Kale (original complainant) is present. The applicant No. 1 is also present. It is submitted by the respondent No. 2 that she has resolved all the disputed issue out of Court and this Court may set aside the conviction recorded against the applicants.

3 In view of the statement made on behalf of the applicants and the respondent No. 2 and particularly after examining the respondent No. 2, personally in the Court, I am of the view that it is just and proper that conviction recorded by the learned Magistrate is set aside so that parties can decide their further course of action in the life.

4 For all these reasons, it is directed that the conviction recorded by the learned Magistrate in C. C. No. 73/2008 stands quashed. The appeal filed by the applicants accordingly stands

disposed of.

5 The present application accordingly is disposed of.

(JUDGE)

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