

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL REVISION APPLICATION NO. 430 OF 2014
WITH
CRIMINAL APPLICATION NO. 367 OF 2014
IN
CRIMINAL REVISION APPLICATION NO. 430 OF 2014

Sanjay Sarjerao Ghagarer & Ors. .. Applicant

Versus

The State of Maharashtra .. Respondent

Mr. Manoj A. Patil, Advocate for the applicants
Smt. V. S. Mhaispurkar, APP for the respondent-State.
Mrs. Aruna S. Ghagare – Complainant.

CORAM:-M. L. TAHALIYANI, J.
DATED : -12/03/2015

P.C.

Not on board. Taken on board on being mentioned for
production on the ground of urgency.

2 Heard learned counsel for the applicants and learned
APP for the respondent-State.

3 The applicants are convicted for the offence
punishable u/s 498-A r/w 34 of IPC and they are sentenced to suffer
RI for two years each and to pay a fine of Rs.500/- each. Their

appeal has been dismissed. The present revision application impugns the order passed by the appellate Court.

4 The original complainant/victim of the offence Mrs. Aruna Sanjay Ghagare is present. It is submitted by her and her mother that the dispute between the applicants and the original complainant has been resolved amicably at the village level. It was decided that the applicants will pay some compensation to the original complainant and thereafter there will be a petition for divorce by mutual consent.

5 I have spoken to the applicants and the original complainant, both in open Court and I am convinced that the amicable settlement is by consent and voluntarily. There does not appear to be any extraneous force working for the settlement. In view thereof, It is just and proper that this revision application is decided in view of the amicable settlement arrived at by the disputing parties.

6 The revision application is, therefore, allowed.

7 The conviction and sentence imposed by the trial Court and confirmed by the appellate Court is set aside. The

applicants are acquitted of the offence punishable u/s 498-A r/w 34 of IPC. Their bail bonds shall stand cancelled.

8 The affidavit filed by the original complainant Mrs. Aruna Sanjay Ghagre be taken on record and be marked as **Exhibit-'A'**.

9 The revision application accordingly stands disposed of.

(JUDGE)

md.saleem