

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL WRIT PETITION NO. 599 OF 2015

SATISH KESHAVRAO KADAM AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Petitioner : Mr. Shailendra S. Gangakhedkar.
APP for Respondent No.1 : Mr. K. S. Patil.

...

CORAM : **A. V. NIRGUDE &
INDIRA K. JAIN, JJ.**

DATE : 15th January, 2016.

P.C.:

. This petition filed by Accused/ Petitioner for quashing and setting aside the proceedings in RCC No.159 of 2010. This was a matrimonial dispute. Respondent No.2 - wife filed the complaint and offence was registered against the Petitioners. In the meantime, the parties arrived at a compromise and divorce decree was also obtained on 12th July, 2012. In the consent terms, the wife agreed that she would withdraw all her cases she has filed against her husband and his relatives. Pursuant to this, the petition was filed for quashing of criminal cases. Notice was sent to Respondent No.2 - wife. But it appears that she is avoiding service. Earlier the Petitioners were ordered to send notice of this case to Respondent No.2 by Registered Post A.D. Even such attempt failed. Respondent No.2 did not accept the Registered Post

letter. Affidavit to that effect is to be filed by Petitioners' Advocate.

2 We are convinced that the petition deserves to be allowed
and the same is allowed in terms of prayer clause (B).

[INDIRA K. JAIN, J.]

[A. V. NIRGUDE, J.]

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