

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

CRIMINAL APPLICATION NO. 5706 OF 2016

SK. HABIB UR RAHEMAN S/O SK ZAKI UR RAHEMAN
AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr.W.A.Shaikh, Advocate for Applicants

Mrs.P.V.Diggikar, APP for respondent no.1

Mr.S.M.A.Jahagirdar, Advocate for respondent no.2

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : OCTOBER 26, 2016**

PER COURT :

Heard respondent no.2 – Nazneen Begum who has been identified by Advocate Mr.S.M.A. Jahagirdar and applicant no.1 – Sk. Habib Ur Raheman who has been identified by Advocate Mr.Sk. Wajeed Ahmed. They have filed the terms of settlement. They voluntarily admit the terms of settlement now read over and explained to them. They have decided to withdraw the proceedings, the

subject matter of this application, in view of the settlement.

2. So far as the proceedings bearing S.T.No.26 of 2013 registered against the applicants for the offences punishable under Sections 498-A, 323, 313, 506 read with Section 34 of the Indian Penal Code are concerned, we are inclined to quash and set aside the same in view of the powers vested under Section 482 of the Code of Criminal Procedures since no good purpose would be served by keeping the said case pending for hearing after amicable settlement between the parties.

3. So far as other pending proceedings are concerned, we direct the parties to appear before the Courts concerned. The Courts concerned would pass necessary orders in those pending proceedings in view of the terms of settlement filed by the parties before this Court today.

4. In view of the above, we quash and set aside the criminal proceedings bearing S.T.No.26 of 2013 pending against the applicants before the learned Addl. Sessions Judge, Parbhani, arising out of Crime No.127 of 2011 registered with Nanal Peth Police Station, Parbhani.

5. With these directions, we allow this application partly. It is accordingly disposed of.

6. The parties to act on certified copies of this order.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp