

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2839 OF 2017

Vilas s/o Rangnath Shinde,
Aged-28 years, Occu:Agri.,
R/o-Saiaarti Nivas, At Post-Ozar(Kh),
Ozar-Manoli Road, Tq-Sangamner,
Dist-Ahmednagar.

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
Through the Inspector of Police,
Police Station, Sangamner City,
Dist-Ahmednagar,
- 2) Aarti w/o Vilas Shinde,
Aged-20 years, Occu:Education,
R/o-At present-Saiaarti Nivas,
At Post-Ozar(Kh),
Ozar-Manoli Road, Tq-Sangamner,
Dist-Ahmednagar

...RESPONDENTS

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Mr.A.S. Shejwal Advocate for Applicant.
Mr.M.M. Nerlikar, A.P.P. for Respondent No.1.
Ms. Rutuja Kulkarni Advocate for Respondent
No.2

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**CORAM: S.S. SHINDE AND
S.M. GAVHANE, JJ.**

DATE : 18TH JULY, 2017

ORAL ORDER :

1. Rule. Rule made returnable forthwith and heard finally with the consent of the learned counsel appearing for the parties.

2. This Application under Section 482 of the Code of Criminal Procedure is filed by the Applicant, praying therein to quash the First Information Report vide Crime No.I-99 of 2017 dated 24th April, 2017 registered with police station, Sangamner City, Dist-Ahmednagar for the offence punishable under Section 498-A, 406, 452, 323, 504, 506, 427, 34 of the Indian Penal Code.

3. Pursuant to the notices issued to the Respondents, Respondent No.2 has caused appearance through Advocate Ms. Rutuja Kulkarni. The Applicant and Respondent No.2 have filed the joint affidavit. The same is already taken on record. The said affidavit is duly verified before the

Registrar (Judicial) of this Court. The parties are identified by their respective Advocates.

4. It is stated in the joint affidavit that the dispute between the Applicant and Respondent No.2 i.e. deponent No.1 and deponent No.2 has been settled amicably due to intervention of elderly members of the family and others. They have already started cohabiting together and Respondent No.2 is residing in her matrimonial house. All the differences/disputes have been settled/resolved. It is further stated that Respondent No.2 does not want to proceed with the allegations in the First Information Report in view of the amicable settlement of dispute between the Applicant and Respondent No.2.

5. Keeping in view the averments in the joint affidavit and also the exposition of law by the Supreme Court in the case of Gian Singh Vs.

State of Punjab and another¹, in order to secure the ends of justice and to prevent the abuse of process of law, we are inclined to allow the Application.

6. Accordingly, the Rule is made absolute in terms of Prayer Clause (B) to the Application. The Criminal Application is allowed to the above extent and the same stands disposed of.

[S.M. GAVHANE, J.]

asb/JUL17

[S.S. SHINDE, J.]

¹ 2012(4) Bom.C.R.(Cri) 428