

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR

Criminal Writ Petition No.862 of 2015

[Satish s/o Ramesh @ Umesh Pawar and others v. The State of Maharashtra, through PSO, Mahagaon, Yavatmal, and others]

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Office Notes, Memoranda of Coram,  
appearances, Court's orders or directions      Court's or Judge's orders  
and Registrar's order

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Shri A.P. Thakare, Advocate for Petitioners.

Shri N.S. Rao, Additional Public Prosecutor for Respondent No.1/State.

Shri N.B. Bargat, Advocate for Respondent No.2.

**Coram : R.K. Deshpande & M.G. Giratkar, JJ.**

**Date : 13<sup>th</sup> November, 2017**

This matter was listed before us on 6-11-2017, on which date, a compromise pursis prepared by the petitioners and the respondent No.2 was placed on record. It is informed to us that though the pursis is signed by the respondent No.2 and her counsel and also by the counsel for the petitioners, the petitioners have turned around and expressed that they do not subscribe to the terms of the compromise incorporated in the pursis. None of the petitioners have, therefore, signed the pursis.

Though we decided to pass an order on the compromise pursis, we deferred it to find out whether the petitioners really do not want the matter to be disposed of as settled between the parties by quashing and setting aside the FIR registered against

them on 29-6-2015 vide Crime No.137 of 2015 with Police Station Mahagaon, District Yavatmal, for the offences punishable under Sections 307 and 143 of the Indian Penal Code.

Today, the petitioner No.1 and his father both were initially present before this Court and they informed to us that they wanted to engage some other counsel. They were informed to take their own decision within ten minutes. However, it seems that none of them have turned up in the Court hall.

The net result of dismissal of this writ petition would be that the petitioners would be required to face the prosecution for the offences alleged against them in the FIR, as the petitioners themselves do not want the FIR to be quashed and set aside. Thus, the petitioners seem to be interested in facing the prosecution rather than pressing this writ petition.

In view of above, we dismiss this writ petition. The prosecution against the petitioners shall go on, and the parties shall be at liberty to approach the appropriate forum either to seek a decree for annulment of marriage between the petitioner No.1 and the respondent No.2, if so advised, and/or to continue to to discontinue with the proceedings, which they have already initiated.

The petition is dismissed.

Judge

Judge.

Lanjewar