

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 CRIMINAL APPLICATION NO. 1699 OF 2014

- 1) Sayed Anwar s/o Sayed Lal,
Age: 46 years, Occu.: Business,
R/o.: Ward No. 5, Ahmedpur,
Tq. Ahmedpur, Dist. Latur.
- 2) Wasima Begum w/o Sayed Anwar,
Age: 42 years, Occu.: Household,
R/o.: Ward No. 5, Ahmedpur,
Tq. Ahmedpur, Dist. Latur.

...Applicants.

(Orig. Accused)

VERSUS

- 1) The State of Maharashtra
Through Police Inspector,
Police Station, Chakur,
Tq. Chakur Dist. Latur.
- 2) Shaikh Shahabano w/o Shaikh Amjad,
Age : 27 years, Occu.: Household,
C/o.: Shaikh Hasan (Kotwal),
Retired Head Master, Near Jama Masjid,
Opp. Z.P. School, Chakur,
Tq. Chakur Dist. Latur.

...Respondents.

(No.2 Orig. complainant)

...

Advocate for Applicants : Mr. Jayant R. Patil
APP for Respondent No. 1/State : Mr. M.M. Nerlikar
Advocate for Respondent No. 2 : Mr. V.D. Gunale

...

**CORAM : T.V. NALAWADE AND
K.L. WADANE, JJ.**

DATE : 31ST JULY, 2018

ORAL JUDGMENT : (PER T.V. NALAWADE, J.)

1. The proceeding is filed for relief of quashing of the first information report No. 27/2014 registered at Chakur Police Station, Dist. Latur for the offences punishable under Sections 498-A and 323 read with 34 of Indian Penal Code. Heard, the learned counsel for both sides.

2. During the argument, it was submitted that charge-sheet was filed against the husband of the first informant and his close relatives and by the decision dated 23.02.2018, learned Judicial Magistrate First Class, Chakur, Dist.Latur acquitted the husband and his close relatives. It is submitted that the parties have settled the dispute and no evidence was given against the husband and his close relative. Copy of the settlement document is also produced on record, which is dated 10.02.2018.

3. In view of the nature of allegations and aforesaid

circumstances, this Court holds that it is not desirable to direct the applicants to face the trial for the same offences. Applicant No. 2 is said to be sister of the husband of the first informant and applicant No. 1 is said to be the husband of applicant No. 2.

4. In the result, the Application is allowed. Relief is granted in terms of prayer clause 'B and B-1'. Rule is made absolute in aforesaid terms.

5. Criminal Application is disposed of.

[K.L. WADANE, J.]

[T.V. NALAWADE, J.]