

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1872 OF 2016

- 1] Rajendra Shamsundar Tak,
Age : 45 years, Occu. Advocate,
- 2] Priyanka Ravindra Tak,
Age : 24 years, Occu. Student,
- 3] Ravindra Shamsundar Tak,
Age : 62 years, Occu. Retire,
- 4] Suman Ravindra Tak,
Age : 58 years, Occu. Household,
All R/o Gulmohar Road,
Nawale Nagar, Ahmednagar.
Tq. & Dist. Ahmednagar. ...Applicants

Versus

- 1] The State of Maharashtra
Through Harsul Police Station,
Aurangabad, Tq. & Dist. Aurangabad.
- 2] Anjali Sachin Tak,
Age : 26 years, Occu. Household,
R/o C/o Pandharinath Asaram
Dahiwal, Plot No. 13, 14
Shivshakti Housing Society,
Harsul, Aurangabad,
Tq. & Dist. Aurangabad. ...Respondents

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Mr. M. L. Wankhede, Advocate for Applicants.
Mr. A. A. Jagatkar, A. P. P. for Respondent No. 1-State.
Mr. G. A. Kulkarni, Advocate for Respondent No. 2.

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**CORAM : T. V. NALAWADE &
SMT. VIBHA KANKANWADI, JJ.**
DATE : 01-11-2018.

JUDGMENT : (Per Shri T. V. Nalawade, J)

01. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.

02. The proceedings is filed under Section 482 of Cr. P. C. for relief of quashing of F. I. R. vide C. R. No. 154 of 2015 registered with Hasrul Police Station, Aurangabad for offences punishable under Sections 498-A, 323, 504 and 506 read with Section 34 of I. P. C. During arguments, the learned Counsels for the applicants and first informant submitted that the parties have settled the dispute. Today, the compromise purshis signed by the wife and her husband is filed on record and there is also affidavit of the wife to the effect that she has no intention to give evidence against the applicants. She has mentioned that she is withdrawing all the allegations made in the F. I. R. The R. C. C. No. 129 of 2016 is filed in the Court of J. M. F. C. and relief is claimed for quashing of that claim also. In view of the submissions made and contents of the affidavit, this Court holds that relief needs to be given. Though husband of

the first informant is not party in the present proceedings in view of the submissions made for the wife, this Court holds that the entire case needs to be quashed and set aside.

03. Hence, following order;

ORDER

(i) Application is allowed.

(ii) Relief as prayed in Prayer Clause "B" as amended is granted and the case itself is quashed and set aside.

(iii) Rule made absolute in those terms.

[SMT. VIBHA KANKANWADI]

JUDGE

[T. V. NALAWADE]

JUDGE

Dahibhate/-