

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

CRIMINAL APPLICATION NO. 1280 OF 2018

1. Rohit Bhaskar Bankar,
Age 25 years, Occ. Labour,
2. Dilip s/o Bhaskar Bankar,
Age 27 years, Occ. Labour.
3. Sarala w/o Dilip Bankar,
Age 25 years, Occ. Household,
All R/o. Khadki, Kopergaon,
Tq. Kopargaon, Dist. Ahmednagar.
4. Pradip s/o Roopchand Parakhe,
Age 34 years, Occ. Labour,
R/o. Near K.B. Vidyalaya,
Kopargaon, Tq. Kopargaon, Dist.
Ahmednagar.

... **Applicants**

(Orig. accused No. 1
to 4)

VERSUS

1. The State of Maharashtra.
Through Police Station
Kopargaon, Dist. Ahmednagar.
2. Anuradha w/o Balkrishna Sapnar,
Age 25 years, Occ. Household,
R/o. Khadki, Kopargaon, Tq.
Kopargaon, Dist. Ahmednagar.

... **Respondents**

(Respondent No. 2 is
original informant)

...

Advocate for Applicants : Mr. A.S. Gandhi.
APP for respondent No. 1/State : Mr. R.V. Dhasalkar.
Advocate for Respondent No. 2 : Mr. A.V. Thole.

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

DATE : 22nd June, 2018.

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

1. Rule. Rule made returnable forthwith. With the consent of the parties, this application is taken up for final disposal.

2. Present proceeding is filed under section 482 of the Code of Criminal Procedure for relief of quashing the proceeding in S.C.C. No. 547/2015 pending in the Court of 3rd Judicial Magistrate First Class, Kopargaon, District Ahmednagar, for the offences punishable under section 354, 504, 506, read with section 34 of the Indian Penal Code.

3. The crime is registered on the basis of report given by one lady/respondent No. 2 and it is in respect of the incident dated 05.12.2017. She has made allegations against the applicants that the present applicants intercepted her and out of previous dispute, in which report was given by the respondent No. 2, they picked up quarrel with allegations are made that she was hold by one of the applicants and they misbehaved with her and that was insult to her modesty. She gave report on the same day and crime is registered for the aforesaid offences.

4. The papers of investigation show that there is no injury certificate and there is no allegation that any injury was caused to the respondent No. 2. Respondent No. 2 and witnesses have also filed affidavit-in-reply and they have consent for giving the relief. Considering the circumstances that they hail from the same place and they want to live with peace in future and they want to settle the dispute and also in view of the nature of allegations this court hold that, it would be futile exercise if the trial of the case is allowed to go on. In the result, following order is passed.

ORDER

1 The application is allowed.

2 Relief is granted in terms of prayer clause 'B'.

5. Rule is made absolute in aforesaid terms.

(K. L. WADANE, J.)

(T.V. NALAWADE, J.)

mkd