

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 1661 OF 2018

1. Shri Diliprao Tulsiram Patil,
Age - 56 years, Occup.: Service,
2. Usha Diliprao Patil,
Age 56 years, Occup.: Service,
3. Ku. Bhumika Diliprao Patil,
Age 23 years, Occup.: Student,

Nos.1 to 4 Resi.: at:- A-25, Galaxy Goral
Bungalows, B/s. Eklavya High School,
B/h. Mahadev Homes, Nirant Cross Road,
Vastral Road, Ahmedabad - 382418.

... **APPLICANTS**
(Orig. Accused Nos.2 to 4)

VERSUS

1. State of Maharashtra.
2. Sushma Ritesh Patil,
Age 27 years, Occup: Household,
R/o. Vavde, T. Amalner, Dist. Jalgaon.

... **RESPONDENTS**
(Ori. Complainant)

WITH

CRIMINAL APPLICATION NO. 1630 OF 2018

1. Shri Prakash Eknath Patil,
Age 50 years, Occup.: Service,
Resi. at :- 109/III, Central Excise
Colony, Race Course Circle,
Vadodara.

2. Shri Mukesh Eknath Patil,
Age 48 years, Occup.: Business,
Resi. at :- 86, Arihant Park,
Anand Borsad Road, Jitodiya,
Anand, Ta. Dist. Anand.
3. Shri Ulhasrao Tanaji Patil,
Age 56 years, Occup.: Service,
Resi. at:- House No.54, Jay Ambe Park,
B/h. Aastha Venue, Subhanpura,
Vadodara.
4. Arun Tulshiram Patil,
Age 58 years, Occu.: Service,
5. Rekhabei Arun Patil,
Age 57 years, Occu.: Household,
No.8 and 9 Resi.: 168,
Tejendraprasad Society Part - II,
Khodiyarnagar, Bapunagar, Ahmedabad,
Ta. Dist. Ahmedabad (Gujarat).

... **APPLICANTS**
(Orig. Accused Nos.5 to 9)

VERSUS

1. State of Maharashtra.
2. Sushma Ritesh Patil,
Age 27 years, Occup: Household,
R/o. Vavde, T. Amalner, Dist. Jalgaon.

... **RESPONDENTS**
(Ori. Complainant)

WITH

CRIMINAL APPLICATION NO. 3162 OF 2018

Ritesh S/o Dilipbhai Patil,
Age 29 years, Occu.: Service,
R/o. A-25 Galaxy Coral Bunglows,
Beside Eklavy High School, behind
Madhav Homes, Vastral,
Road Ahmedabad.

... **APPLICANT**

VERSUS

1. State of Maharashtra,
Through P.S.I. Marwad Police Station,
Marwad Tq. Amalner Tq. Amalner Dist. Jalgaon.
2. Sushma W/o Ritesh Patil @
Sushma D/o. Dattatraya Patil (Thakare),
Age 28 years, Occup: Housewife,
C/o Subhash S/o. Barku Patil,
R/o. Vavde, T. Amalner, Dist. Jalgaon. ... **RESPONDENTS**

...

Mr. B. P. Patil, Advocate for Applicants, in all the matters.

Mr. M. M. Nerlikar, APP for Respondent No.1 / State, in all the matters.

Mr. P. H. Patil, Advocate for Respondent No.2, in all the matters.

Mr. V. H. Pathade, Advocate for Respondent No.2 (Appointed).

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**CORAM : T. V. NALAWADE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 20th December, 2018.

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

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

2 The proceedings are filed under Section 482 of the Code

of Criminal Procedure for relief of quashing of FIR No.22 of 2018, registered with Marvad Police Station, Taluka Amalner, District Jalgaon, for the offences punishable under Sections 498-A, 323, 504, 506 and 406 read with 34 of the Indian Penal Code.

3 The report was given by Respondent No.2, wife of Applicant from Criminal Application No.3162 of 2018. During arguments, the learned counsel for Applicants and the learned counsel for first informant submitted that the parties have settled the dispute. They have filed affidavit in reply of Respondent No.2 showing that she has no intention to give evidence against the Applicants. In view of the contents of affidavit in reply to that effect, this Court holds that relief needs to be granted in all the three proceedings. In the result, the following order is passed:

ORDER

- I. All the three applications are allowed.
- II. Relief is granted in all the three proceedings in terms of prayer clause (B).
- III. The fees of the appointed counsel is quantified as Rs.3,000/- and it is to be paid through the High

Court Legal Services Authority.

- IV. The matter is argued by the counsel appointed by the first informant and the counsel appointed by this Court.
- V. Rule is made absolute in those terms.

[SMT. VIBHA KANKANWADI, J.]

[T. V. NALAWADE, J.]

ndm