

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 CRIMINAL APPLICATION NO. 1675 OF 2018

- 1) Altaf Shaikh @ Raja Faruq Shaikh,
Age : 21 years, Occ.: Business,
R/o.: Gandhali Pura, Near Chuna Ghani,
Amalner, Tq. Amalner Dist. Jalgaon.
- 2) Faruq Shaikh Anwar,
Age : 45 years, Occ.: Labour,
R/o.: Gandhali Pura, Near Chuna Ghani,
Amalner, Tq. Amalner Dist. Jalgaon.
- 3) Shabbo @ Shabana Bee Faruq Shaikh,
Age : 38 years, Occ.: Household,
R/o.: Gandhali Pura, Near Chuna Ghani,
Amalner, Tq. Amalner Dist. Jalgaon.
- 4) Firoj Shaikh Anwar,
Age : 40 years, Occ.: Labour,
R/o.: Gandhali Pura, Near Chuna Ghani,
Amalner, Tq. Amalner Dist. Jalgaon.
- 5) Raziya D/o Shaikh Anwar,
Age : 47 years, Occ.: Nil,
R/o.: Gandhali Pura, Near Chuna Ghani,
Amalner, Tq. Amalner Dist. Jalgaon.

...Applicants.

VERSUS

- 1) The State of Maharashtra,
Through The Police Inspector,
Amalner Police Station, Dist. Jalgaon.

- 2) Smt. Anita W/o Dilip Birhade,
Age : years, Occ.: Labour,
R/o.: Siddhartha Chowk, Gandhali Pura,
Amalner, Tq. Amalner Dist. Jalgaon.
- 3) Bhagyashree D/o Deelip Birhade,
Now Ayesha W/o Shikh Altaf Raja,
Age : 18 years, Occ.: Household,
R/o.: Gandhalipura, Amalner,
Dist. Jalgaon.

...Respondents

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Advocate for Applicants : Mr. H.F. Pawar holding for Mr. Vikrant P. Raje
APP for Respondent No.1/State : Mrs. D.S. Jape
Advocate for Respondent Nos. 2 and 3 : Mr. R.B. Ade

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

DATE : 31ST JULY, 2018

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

1. Rule. Rule made returnable forthwith. By consent heard both sides for final disposal.
2. The proceeding is filed for quashing the first information report No. 103/2017, registered at Amalner Police Station, Dist. Jalgaon for offences punishable under Sections 363 and 366-A of Indian Penal Code.

3. The report is given by mother of the victim girl. The age of the victim girl was 17 years. Allegations are made against applicant No. 1 that he induced the victim girl and took away from the custody of her parents. Allegations against the other applicants that they helped applicant No. 1 in commission of the offence.

4. Affidavit-in-reply is filed by first informant Anita and also filed an affidavit of the victim girl, who was aged 18 years on the date of the affidavit. In the affidavit, they have contended that they have no grievance against the applicants and whatsoever dispute was there, is settled by them. They do not want to give evidence against the applicants.

5. In view of this circumstance, this Court hold that nothing can be achieved, if case is filed against the present applicants after making the investigation. In view of the nature of dispute and the contents of the affidavits, this Court holds that relief needs to be given. In the result, the Application is allowed. Relief is granted in terms of prayer clause 'B'. Rule is made absolute in aforesaid terms.

6. Criminal Application is disposed of.

[K.L. WADANE, J.]

[T.V. NALAWADE, J.]

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