

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

Criminal Application No. 01713 of 2018

District : Aurangabad

Sanjay s/o. Bhujangrao Pawar,
Age : 41 years,
Occupation : Agriculture,
R/o. Babara,
Taluka Phulambri,
District Aurangabad.

.. Applicant
(Original
accused)

versus

1. The State of Maharashtra,
Through Investigation Officer,
Wadodbazar Police Station,
Taluka Phulambri,
Dist. Aurangabad.

2. Nirmalabai w/o. Kaduba Pawar,
Age : 41 years,
Occupation : Household,
R/o. Babara,
Taluka Phulambri,
Dist. Aurangabad.

.. Respondents
(No.02 -
Original
complainant)

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Mr. R.V. Gore, Advocate, for the applicant.

*Mr. A.A. Jagatkar, Additional Public Prosecutor,
for respondent no.01.*

Mr. G.J. Pahilwan, Advocate, for respondent no.02.

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

DATE : 05TH OCTOBER 2018

ORAL JUDGMENT [Per Court] :

01. Rule. Rule made returnable forthwith. By consent, heard finally.

02. By the present application, the applicant - original accused is praying for quashment of proceedings bearing Regular Criminal Case No. 133 of 2017, pending before Judicial Magistrate (F.C.), Phulambri, District Aurangabad, arising out of Crime No. I-133/2017, dated 18.06.2017, registered with Police Station, Wadod Bazar, Taluka Phulambri, District Aurangabad, for offences punishable under Sections 354B, 323, 504 and 506 of the Indian Penal Code.

03. During arguments, learned Advocate for the applicant and the learned Advocate for respondent no.02 - first informant submitted that the parties have settled the dispute and respondent no.02 has filed reply affidavit stating that there is settlement and she has no intention to give evidence against the applicant. It is mentioned that the consent is given for granting the relief.

04. In view of the nature of allegations and aforesaid circumstances, this Court holds that the relief prayed in the application deserves to be granted.

05. Hence, the following order :-

(a) The application is allowed.

(b) The proceedings bearing Regular Criminal Case No. 133 of 2017, pending before Judicial Magistrate (F.C.), Phulambri, District Aurangabad, arising out of Crime No. I-133/2017, dated 18.06.2017, registered with Police Station, Wadod Bazar, Taluka Phulambri, District Aurangabad, for offences punishable under Sections 354B, 323, 504 and 506 of the Indian Penal Code, are quashed and set aside.

(c) Rule made absolute in the above terms.

(**Smt. Vibha Kankanwadi**)
JUDGE

(**T.V. Nalawade**)
JUDGE

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