

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

CRIMINAL WRIT PETITION NO.737 OF 2016

- 1 Prashant Suresh Ahirrao,
Age 33 yrs., Occ. Business,
 - 2 Rajani w/o Suresh Ahirrao,
Age 61 yrs., Occ. Household,
- Both are R/o 4, Patil Nest,
Annandwalli, Gangapur road,
Behind Hotel Gomantak, Nashik.
- 3 Neeta w/o Kishor Chaudhari,
Age 40 yrs., Occ. Household,
R/o Flat No.5,
Shejal Galaxy Apartment,
Tidke Colony, Untawadi Nashik,
Tq. & Dist. Nashik.

... Petitioners.

... Versus ...

- 1 The State of Maharashtra,
Through,
Police Inspector,
M.I.D.C. Police Station,
Jalgaon, Dist. Jalgaon.
- 2 Kajal w/o Prashant Ahirrao,
C/o Kiran Uttamrao Chaudhari,
Manjush Colony, Near Ganeshwadi,
Beside Khadke Sir, Jalgaon,
Tq. & Dist. Jalgaon.

... Respondents.

...

Mr. Girish Nagori, Advocate for the petitioners
Mrs. D.S. Jape, APP for the respondent No.1/State
Mr. C.P. Patil, Advocate for the respondent No.2

...

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

DATE : 12th DECEMBER, 2018

ORAL JUDGMENT :

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

2 The proceeding is filed for relief of quashing of First Information Report No.141 of 2016 registered with MIDC Police Station, Jalgaon for offences punishable under Section 498(A), 323, 504, 506 r.w. 34 of the Indian Penal Code. The crime is registered on report given by respondent No.2 Kajol who is the wife of petitioner No.1 Prashant. During arguments the learned counsel of the petitioners and first informant submitted that the parties have settled the dispute and respondent No.2 has returned to matrimonial house and she has resumed cohabitation and they are living together since last two years. The wife has no intention to give evidence against the petitioners in view of the

subsequent developments. In view of these circumstances, this Court holds that leave is to be granted. In the result, petition is allowed.

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

4 Rule made absolute in those terms.

(Smt. Vibha Kankanwadi)
JUDGE

(T.V. Nalawade)
JUDGE

agd