

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

CRIMINAL APPLICATION NO. 1880 OF 2018

1) Gajanan s/o Raghunath Adhav,
Age 30 years, Occ. Service,
R/o. Pathri, Tq. Phulambri,
Dist. Aurangabad.

2) Kausalyabai w/o Raghunath Adhav,
Age 56 years, Occ. Household,
R/o. Pathri, Tq. Phulambri,
District Aurangabad.

... **Applicants**
(Original Accused)

VERSUS.

1) The State of Maharashtra.

2) Manisha w/o Gajanan Adhav,
Age 25 years, Occ. Service,
R/o. Pathri, Tq. Phulambri,
District Aurangabad.

... **Respondents.**
(Respondent No. 2
is Orig. Complainant)

...

Advocate for Applicants : Mr. Ghanekar Nilesh S.

APP for Respondent No. 1 : Mrs. D.S. Jape.

Advocate for Respondent No. 2 : Mr. U.S. Patil.

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

DATE : 25th JULY, 2018

JUDGMENT (PER COURT : T.V. NALAWADE) :

1. Rule. Rule made returnable forthwith.
2. By consent heard both sides.
3. Application is filed under section 482 of the Code of Criminal Procedure for quashing of proceedings of Sessions Case No. 273/2017 pending in the Court of Sessions Judge, Aurangabad. The case is filed for the offences punishable under section 307, 498A etc., read with section 34 of the Indian Penal Code by respondent No. 2, who is the wife of applicant No. 1. Applicant No. 2 is mother of applicant No. 1.
4. The parties have filed terms of settlement of the dispute. The affidavit filed by the wife/respondent No. 2 shows that she resumed cohabitation. She has submitted that relief needs to be given to the applicants as she has resumed cohabitation and she wants to live peaceful life with her husband.
5. In view of the contents of the affidavit and the facts of settlement, this Court holds that nothing can be achieved by directing the applicants to face the trial for the aforesaid offences.
6. In the result, the application is allowed in terms of prayer clause 'B'. Rule is made absolute in those terms. Identification of parties is done by the respective counsels.
7. Criminal Application is disposed of.

(K. L. WADANE, J.)

(T.V. NALAWADE, J.)