

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

Criminal Application No. 02221 of 2018

District : Aurangabad

1. Kiran Prakash Dehade,
Age : 31 years,
Occupation : Service,
R/o. 156/4,
Shrikrishna Housing
Society, T.V. Center,
CIDCO, Aurangabad.
2. Prakash Nathaji Dehade,
Age : 57 years,
Occupation : Service,
R/o. Kirti Society,
N-8, CIDCO, Aurangabad.
3. Panchshila Prakash Dehade,
Age : 52 years,
Occupation : Household,
R/o. Kirti Society,
N-8, CIDCO, Aurangabad.
4. Sujata Milind Sable,
Age : 34 years,
Occupation : Household,
R/o. Avishkar Colony,
N-6, HUDCO, Aurangabad.
5. Sidharth Manohar Borde,
Age : 37 years,
Occupation : Labour,
R/o. Ekta Nagar, Jatwada,
Aurangabad.
6. Sunita Sidhanath Borde,
Age : 28 years,
Occupation : Household,
R/o. Ekta Nagar, Jatwada,
Aurangabad.

... Contd.

7. Deepak Nathaji Dehade,
Age : 47 years,
Occupation : Business,
R/o. Shrikrushna Housing
Society, T.V. Center,
Aurangabad.
8. Vaijayantimala Deepak Dehade,
Age : 40 years,
Occupation : Household,
R/o. Shrikrushna Housing
Society, T.V. Center,
Aurangabad.
9. Chababai @ Kamal Suresh
Gawale,
Age : 52 years,
Occupation : Household,
R/o. Behind Bibika Makbara,
Aurangabad.
10. Suresh Suppad Gawale,
Age : 58 years,
Occupation : Service,
R/o. Behind Bibika Makbara,
Aurangabad.
11. Babanbai Bhikaji Gaikwad,
Age : 54 years,
Occupation : Household,
R/o. Jaybhim Nagar,
Town Hall, Aurangabad.

.. Applicants

versus

1. The State of Maharashtra,
through Inspector of Police,
CIDCO Police Station,
Taluka & Dist. Aurangabad.
2. Swati w/o. Kiran Dehade,
Age : 29 years,
Occupation : Govt. Servant,
R/o. C/o. Sangita Rajendra
Bhivsane,
House No.8, Pratapgad Nagar,
N-9, Near Baliram Patil
High School, Aurangabad.

.. Respondents.

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*Mr. M.S. Karad & Mr. A.S. Bangar, Advocates,
for the applicants.*

*Mr. M.M. Nerlikar, Additional Public Prosecutor,
for respondent no.01.*

Mr. Arun Shejul, Advocate, for respondent no.02.

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**CORAM : T.V. NALWADE &
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 filed under Section 482 of the Code of Criminal Procedure, 1973, the applicants - original accused are praying for quashment of proceedings in Sessions Case No. 49 of 2017, pending before Additional Sessions Judge, Aurangabad, and the first information report in Crime No.I-251/2014, registered at CIDCO Police Station, Aurangabad, under Sections 307, 498A, 342, 323, 504, 506, read with Section 34 of the Indian Penal Code.

03. During arguments, learned Advocate for the applicants and the learned Advocate for respondent

no.02 - first informant submitted that the parties have settled the dispute. Today, affidavit of the first informant came to be filed in which she has mentioned that she has settled the dispute and steps are also taken to dissolve the marriage. The husband has agreed to give some amount to her and also return the ornaments.

04. The submissions made show that the first informant has joined service as Sales Tax Inspector and she has no intention to give evidence against the applicants in view of the settlement which has taken place. This Court has seen injury certificate and also photograph when she had gone to give the FIR. Though injuries were minor, those were on face.

05. In view of the aforesaid circumstances, this Court holds that nothing can be achieved by allowing the proceedings to go ahead.

06. Hence, the following order :-

(a) The application is allowed.

(b) The proceedings in Sessions Case No. 49 of 2017, pending before Additional Sessions Judge, Aurangabad, and the first information report in Crime No.I-251/2014, registered at CIDCO Police

Station, Aurangabad, under Sections 307, 498A, 342, 323, 504, 506, read with Section 34 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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