

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

CRIMINAL APPLICATION NO. 4139 OF 2009

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| 1 | Ramkrishna Babulal Pingalkar,
Age 69 Years, Occupation : Retired,
(Retired Vice Principal) | |
| 2 | Indira Ramkrishna Pingalkar,
Age : 57 Years, Occupation : Housewife,
Both R/o. 2 and 3 – Subhash Colony,
55, Shirpur, District – Dhule. | |
| 3 | Sanjay Ramkrishna Pingalkar,
Age : 43 Years, Occupation : Professor,
(Science College Nanded) | |
| 4 | Manisha Sanjay Pingalkar,
Age : 40 Years, Occupation : Teacher,
Both 4 & 5 R/o. 26, Bajaj Nagar, Nanded. | |
| 5 | Rajendra Vitthalseth Dusane,
Age : 38 Years, Occupation : Service, | |
| 6 | Kalpana Rajendra Dusane,
Age : 35 Years, Occupation : Housewife,
Both R/o. 3, Sukhai Apartment,
Savadi Naka, Ahmadnagar. | |
| 7 | Sandeep Raghunathseth Sonar,
Age : 35 Years, Occupation : Teacher, | |
| 8 | Sangeeta Sandeep Sonar,
Age : 30 Years, Occupation : Housewife,
Both R/o. 12, Shakuntala Apartment,
Kurvad Nagar, Nashik. | Applicants
(Original
Accused) |

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VERSUS

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| 1 | The State of Maharashtra. | |
| 2 | Vidya Deepak Pingalkar,
Age : 25 Years, Occupation : Nil,
R/o. C/o. Shalini Sudhakar Bagul,
Rachna Colony, Near Kasamwadi
Madarsa, Jalgaon, District Jalgaon. | Respondent
(Original
Complainant) |

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Advocate for Applicants : Mr. Ganesh L. Kedar h/f. Mr. Amol S. Sawant.
APP for Respondent No.1 : Smt. V. S. Choudhary.
Advocate for Respondent No.2 : Mr. Ajay G. Talhar.
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**CORAM : T.V. NALWADE &
SMT VIBHA KANKANWADI, JJ.**

DATED : 24th AUGUST, 2018.

ORAL JUDGMENT (Per : T. V. Nalwade, J.) :-

1. Heard learned counsels for the parties.
2. Present proceeding is filed under section 482 of the Criminal Procedure Code for relief of quashing and setting aside the First Information Report bearing No. 74 of 2018, registered in M.I.D.C. Police Station, Jalgaon, for the offence punishable under Section 498-A, 406, 323, 504 and 506 read with Section 34 of the Indian Penal Code and also proceedings bearing Regular Criminal Case No. 426 of 2009 filed on the basis of aforesaid FIR, which is pending before the Court of Judicial Magistrate, First Class, Jalgaon.
3. During the course of arguments, learned counsel for respondent No.2 submitted that the parties have amicably settled their dispute. He further submitted that they have already taken divorce by filing proceedings bearing Hindu Marriage Petition No. 96 of 2016 in the Court and respondent No.2 has no intention to give evidence against her husband and his relatives. The affidavit to that effect filed by the respondent No.2 is taken on record. The lady who has filed affidavit is identified by the learned counsel appearing on her behalf.

4. In view of these circumstances and the nature of dispute, this Court hold that the relief as prayed needs to be granted. Therefore, the application is allowed. The relief is granted in terms of prayer clause "A". Rule is made absolute in above terms.

(SMT. VIBHA KANKANWADI, J.)

(T.V. NALAWADE, J.)

MTK.