

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2651 OF 2018

RAMA @ MEENA WIDOW OF RAJESH AGRAWAL
NOW, MEENA W/O. UTTAM MITTAL,
Age 42 years, Occu. Housewife,
Resident of Makan N-42, Ward N-46,
Sikshak Nagar, Khandwa, East Nimar,
Madhya Pradesh, Pin - 450 001 (M.P.) **....Applicant.**

Versus

1. THE STATE OF MAHARAHTRA
Through The Police Inspector,
Jintur Police Station, Jintur,
Dist. Parbhani.
2. RAMPRASAD S/O. CHANDULAL AGRAWAL,
Age 75 years, Occu. Nil,
Presently residing at C/o. M.H. Agrawal,
Nathnagar, Behind Sindhi Colony,
Aurangabad, Tal. & Dist. Aurangabad. **....Respondents.**

Mr. A.D. Ostwal, Advocate for applicant.

Mr. A.A. Jagatkar, APP for respondent No. 1/State.

Mr. S.C. Yeramwar, Advocate for respondent No. 2.

**CORAM :T.V. NALAWADE AND
SMT. VIBHA KANKANWADI, JJ.
DATED : 18/09/2018.**

JUDGMENT : [PER T.V. NALAWADE, J.]

1. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.
2. The proceeding is filed under section 482 of Criminal Procedure Code for relief of quashing of the proceeding of Sessions Trial No. 102/2010 which is pending in the Court of Additional

Sessions Judge, Parbhani. The case was filed as a private complaint by respondent No. 2, father of the deceased and the present applicant was the widow of the deceased. Allegations are made that due to the harassment of the present applicant, the deceased committed suicide by consuming poison. He died on 19.2.2006 and the private complaint was filed on 3.1.2007. There is mention of one suicide note allegedly left behind by the deceased. The learned J.M.F.C. issued process against the applicant for offence punishable under section 306 of IPC on the basis of the statements given and the suicide note.

3. During arguments, the learned counsels for both the sides submitted that parties have settled the dispute and respondent No. 2, the original complainant has no intention to give evidence against the applicant. Consent terms are prepared and copy of consent terms is produced on record. Affidavit of respondent No. 2 is taken on record. It appears that applicant has married and she is living in other State. In view of these circumstances and nature of allegations made against the applicant, this Court holds that application needs to be allowed. In the result, the application is allowed. Relief is granted to the applicant in terms of prayer clause 'B'. Rule is made absolute in those terms.

[SMT. VIBHA KANKANWADI, J.]

[T.V. NALAWADE, J.]

SSC/

Salim
Shafi
Choudhari

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by Salim Shafi
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