

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

CRIMINAL APPLICATION NO.3180 OF 2018

- 1 Prabhakar Bhagwanrao Huse,
 Age 24 yrs., Occ. Labour,
 R/o Hastpokhari, Tq. Ambad,
 Dist. Jalna.
- 2 Bhagwanrao Rambhau Huse,
 Age 60 yrs., Occ. Labour,
 R/o as above.
- 3 Datta Bhagwanrao Huse,
 Age 20 yrs., Occ. Labour,
 R/o as above.
- 4 Sunita d/o Bhagwanrao Huse,
 Age 50 yrs., Occ. Nil,
 R/o as above.
- 5 Ashok Pandurang Wagh,
 Age 37 yrs., Occ. Labour,
 R/o Maher-Bhaygaon, Wakulni,
 Chikalthana, Jalna, Dist. Jalna.
- 6 Ankush Pandurang Wagh,
 Age 30 yrs., Occ. Labour,
 R/o House No.26, Sy.No.56/1,
 Mukundwadi, Aurangabad,
 Tq. & Dist. Aurangabad.

... Applicants.

... Versus ...

- 1 The State of Maharashtra,
 Through, Police Officer,
 Pundlik Nagar Police Station,
 Aurangabad, Tq. & Dist. Aurangabad.

- 2 Aarti w/o Prabhakar Huse,
Age 20 yrs., Occ. Household,
R/o c/o Natha Patilba Khurmute,
House No.4-21-5-69,
Near Prakash shop, Anand Nagar,
Bharat Nagar, Aurangabad,
Tq. & Dist. Aurangabad.

... Respondents.

...

Mr. S.R. Andhale & Mr. G.B. Chate, Advocates for the applicants

Mrs. V.S. Choudhary, APP for the respondent No.1/State

Mr. Y.G. Soman, Advocate for the respondent No.2

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**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 filed under Section 482 of Code of Criminal Procedure, 1973 for the relief of quashing of FIR No.39/2017 registered with Pundlik Nagar Police Station, Aurangabad for the offences punishable under Section 498(A), 307, 377 r.w. 34 of Indian Penal Code.

During arguments learned counsels of the applicants and the first informant submitted that the parties have settled the dispute. It was submitted that they are taking divorce by mutual consent and they have already filed proceeding before Civil Judge Senior Division, Jalna. Affidavit to that effect is filed of the first informant. She has no intention to say anything against the applicants. In view of these circumstances, this Court holds that the relief needs to be granted. In the result, application 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