

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 6290 OF 2017

- 1] Bhimrao Maroti Dhait,
Age : 37 years, Occu. : Agri.,
 - 2] Alkabai Bhimrao Dhait,
Age : 32 years, Occu. : Household,
 - 3] Mohini @ Vaishnavi Bhimrao Dhait,
Age : 17 years, Occu. : Education,
Minor Under Guardianship of
Applicant No. 1.
 - 4] Dinesh Pralhad Dhait,
Age : 25 years, Occu. : Agri.,
 - 5] Manisha Pralhad Dhait,
Age : 17 years, Occu. : Education,
Minor under guardianship of her
father Pralhad Maroti Dhait,
Age : 52 years, Occu. : Agri.,
- ...Applicants

Versus

- 1] The State of Maharashtra,
 - 2] Sau. Surekha Ganesh Dhait,
Age : 19 years, Occu. : Household,
R/o Bantakli, Taluka Ambad,
District : Jalna.
- ...Respondents

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Mr. R. M. Deshmukh, Advocate for Applicants.
Ms. D. S. Jape, A. P. P. for Respondent No. 1-State.
Mr. S. V. Mundhe, Advocate for Respondent No. 2.

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**WITH
CRIMINAL APPLICATION NO. 102 OF 2018**

1] Ganesh Arjun Dhait,
Age : 23 years, Occu. : Labour,
R/o Ghansawangi, Dist. Jalna.

...Applicant

Versus

1] The State of Maharashtra,

2] Sau. Surekha Ganesh Dhait,
Age : 19 years, Occu. : Household,
R/o Bantakli, Taluka Ambad,
District : Jalna.

...Respondents

.....

Mr. R. M. Deshmukh, Advocate for Applicants.
Ms. D. S. Jape, A. P. P. for Respondent No. 1-State.
Mr. S. V. Mundhe, Advocate for Respondent No. 2.

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**CORAM : T. V. NALAWADE &
SMT. VIBHA KANKANWADI, JJ.
DATE : 10-12-2018.**

JUDGMENT : [Per Shri. T. V. Nalawade, J]

01. Rule. Rule made returnable forthwith. By consent, heard finally.

02. In both the proceedings filed under Section 482 of Cr. P. C. the relief is claimed of quashing of F. I. R. 177 of 2017 registered with Ambad Police Station for the offences punishable under Sections 498-A, 504, 506 and 34

of I. P. C. and Section 3 and 4 of Dowry Prohibition Act, 1961.

03. During arguments, the learned Counsel for both the sides submitted that the parties have settled the dispute and the first informant and the husband have applied for divorce by mutual consent and the proceeding is still pending. The affidavit of the first informant is filed on the record which is to the effect that she has no intention to give evidence against the husband and his relatives including the relatives on cousin side. In view of the affidavit filed by the first informant and submissions made before this Court, this Court holds that relief claimed needs to be granted.

04. Hence, following order;

ORDER

- (i) Both the proceedings are allowed.
- (ii) Relief is granted in terms of prayer clause "C".
- (iii) Rule made absolute in those terms.

[SMT. VIBHA KANKANWADI]

JUDGE

[T. V. NALAWADE]

JUDGE

Dahibhate/-