

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 810 OF 2018**

Surendra Siddharam Police Patil & Ors.Applicants

Vs.

Shailaja Surendra Police Patil & Anr.Respondents.

Mr. Ramdas Hake Patil for the Applicants.

Mr. Ameet Palkar APP, for the Respondent-State.

Mr. Shivraj Kunchge I/by Prashant Rawool for Respondent No.1.

CORAM : A. S. GADKARI, J.

DATE : 4th SEPTEMBER, 2018.

P.C.:-

By the present Application under Section 482 of the Code of Criminal Procedure, the Applicants-Original accused, have challenged the Order dated 12th February, 2015 passed by the learned Judicial Magistrate, First Class, Solapur in RCC No. 147 of 2014 on a Complaint filed by the Respondent No.1-Shailaja Police Patil, wife of the Applicant No.1.

2 By the said Order dated 12th February, 2015, the Trial Court was pleased to issue process against the Applicants under Sections 498(A), 504, 506 read with Section 34 of the Indian Penal Code.

3 Mr. Hake Patil, the learned counsel for the Applicants submitted that, the parties herein have settled the matter amicably and the Respondent No.1 has given her consent for setting aside the impugned Order so also the Criminal prosecution launched by her.

4 Mr. Shivraj Kunchge, the learned Advocate for the Respondent No.1 conceded to the said fact and submitted that, the Respondent No.1 has also filed an affidavit dated 16th August, 2018 to that effect. The Affidavit duly affirmed by the Respondent No.1 before the Notary Public is tendered across the bar. The said Affidavit dated 16th August, 2018 is taken on record and marked "X" for identification.

5 In view of the Affidavit filed by the Respondent No.1, the impugned Order dated 12th February, 2015 and the proceedings bearing RCC No. 147 of 2014 pending on the file of Judicial Magistrate, First Class, Solapur are hereby quashed.

6 Application is allowed in terms of prayer clause (b).

(A.S. GADKARI, J.)