

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 945 OF 2018

Mohd Meraj Jabir Khan ... Applicant
Vs.
The State of Maharashtra and Ors. ... Respondents

Mr. M.S. Ahmed for the applicant.

Mr. S.R. Shinde, APP for the respondent State.

Mr. Mateen Shaikh for R. No. 2.

**CORAM : B.P. DHARMADHIKAKRI &
SARANG V. KOTWAL, JJ.**

DATE : NOVEMBER 28, 2018

P.C.:

Original accused (applicant) is present with his counsel while original complainant (respondent no. 2) is present with her counsel. APP appears for respondent no. 1. Parties jointly state that they have married on 19/12/2017 and are residing together.

2. Respondent no. 2 has filed affidavit accepting the statement and declining to give any evidence against her husband. Along with the petition, invitation card, *nikahnama* are already placed on record. In the affidavit, it is explained that the police station is already informed about the marriage and police report was lodged due to some misunderstanding.

3. In view of the marriage and as we find that nothing fruitful will come out of prosecution, we make the rule absolute in terms of prayer clause (b).

(SARANG V. KOTWAL, J.)

(B.P. DHARMADHIKARI, J.)