

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

CRIMINAL WRIT PETITION NO.260 OF 2019

1. Vipul Mona Valvi,
Age 23 years, Occu. Education,
2. Mona Khalya Valvi,
Age 50 years, Occu. Agriculture,
3. Sekalibai Mona Valvi,
Age 45 years, Occu. Household,
4. Natwar Mona Valvi,
Age 20 years, Occu. Education,

All R/o Kusum-Veri,
Taluka Dhadgaon,
District Nandurbar.

... **Petitioners.**

Versus

1. The State of Maharashtra,
Through Chalisgaon Police Station,
District Jalgaon.
2. Nirmala Vijay Paradke,
Age 24 years, Occu. Advocate,
R/o Kusum Veri, Tal. Dhadgaon,
District Nandurbar.

... **Respondents.**

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Mr. A.S.Savale, Advocate for Petitioners.
Mr. S.J.Salgare, APP for Respondent-State.

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**CORAM : T.V.NALAWADE AND
MANGESH S. PATIL, JJ.**

DATE : 24th April, 2019

ORAL 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 for relief of quashment of FIR No.24 of 2019, registered with Dhadgaon Police Station, District Nandurbar for the offences punishable under Sections 376(2)(n), 366, 344, 506 read with Section 34 of the Indian Penal Code.
3. During arguments the learned counsels for the petitioners and first informant submitted that parties have settled the dispute which was matrimonial in nature. Affidavit-in-reply of Respondent No.2 is filed on the record and the learned counsel representing Respondent No.2 made statement that he has kept the respondent present in the Court Hall. Submissions were made that even prior to the date of incident the respondent was wife of petitioner No.1 and due to some dispute and misconception the report was given. It is submitted that the first informant has returned to the matrimonial house and she is leading the life with petitioner No.1. In view of these circumstances, the reply affidavit is taken on record.

4. The application is allowed.
5. Relief is granted in terms of prayer clause 'B'.
6. Rule is made absolute in those terms.

(MANGESH S. PATIL, J.)

(T.V.NALAWADE, J.)

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vmk/-