

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

Criminal Writ Petition No.285 of 2019

- 1) Satish Dattrao Sonune,
Age 37 years,
Occupation : Agriculture,
R/o Savad, Taluka Risod,
District Washim.
- 2) Rupali Satish Sonune,
Age 21 years,
Occupation: Nil,
R/o Savad, Taluka Risod,
District Washim.
- 3) Latabai Dattrao Sonune,
Age 55 years,
Occupation: Household,
R/o Savad, Taluka Risod,
District Washim.
- 4) Dattrao Shankar Sonune,
Age 65 years,
Occupation: Agriculture
R/o Savad, Taluka Risod,
District Washim.
- 5) Anil Dattrao Sonune,
Age 45 years,
Occupation: Agriculture
R/o Savad, Taluka Risod,
District Washim.
- 6) Mukta Anil Sonune,
Age 29 years,
Occupation: Household,
R/o Savad, Taluka Risod,
District Washim.

- 7) Rekha Maruti Kale,
Age 41 years,
Occupation: Household,
R/o Hatala, Taluka Sengaon,
District Hingoli.
- 8) Maroti Laxman Kale,
Age 50 years,
Occupation: Household,
R/o Hatala, Taluka Sengaon,
District Hingoli.
- 9) Madhavrao Iradkar,
Age 53 years,
Occupation: Agriculture.
R/o Hatala, Taluka Sengaon,
District Hingoli.

.. Petitioners.

Versus

- 1) The State of Maharashtra,
Through Police Inspector,
Nawa Mondha Police Station,
Parbhani,
Taluka and District Parbhani.
- 2) Savita @ Vandana w/o Satish Sonune,
Age 33 years,
Occupation: Nil,
R/o At Nipani Takli,
Post Dhengle Pimpalgaon,
Taluka Sailu, District Parbhani.

.. Respondents.

Shri. Vilas S. Panpatte, Advocate, for petitioners.

Shri. K.S. Patil, Additional Public Prosecutor, for
respondent No.1.

Smt. Sangita Daud Sambre, Advocate, appointed for
respondent No.2.

**Coram: T.V. NALAWADE &
K.K. SONAWANE, JJ.**

Date: 13 JUNE 2019

ORAL JUDGMENT (Per T.V. Nalawade, J.):

1) Rule, rule made returnable forthwith. By consent heard both sides for final disposal.

2) The proceeding is filed for relief of quashing of FIR No.180/2018 registered with Nawa Mondha Police Station Parbhani for offences punishable under sections 498-A, 323, 504, 494 read with 34 of Indian Penal Code.

3) During argument learned counsel for the petitioners submitted that the parties have settled the dispute and in view of the settlement, terms of settlement were filed in divorce proceeding bearing HMP No.44/2015 which was pending in the Court of Civil Judge, Senior Division, Washim. Copy of the said settlement is produced on record. It was submitted that in view of the settlement, decree of divorce was given and copy of the said decree is also produced on the record. The settlement had taken place before Lok Adalat. In the terms of settlement it is

mentioned that all the proceedings which were filed by the wife including FIR No.180/2018 registered with Nawa Mondha Police Station Parbhani for offences punishable under sections 498-A, 494 etc. of Indian Penal Code would be withdrawn.

4) During argument learned counsel for the wife submitted that she made many attempts to contact the wife but she did not turn up. It is not disputed that divorce is obtained in view of the aforesaid settlement and the wife has accepted the money as consideration towards permanent alimony. In view of these circumstances this Court holds that nothing can be achieved by asking the petitioners to face the trial for the aforesaid offences. So, the petition is allowed. Relief is granted in terms of prayer clause (B). Rule made absolute in those terms. Fees of the learned counsel appointed for respondent No.2 is quantified at Rs.3000/- (Rupees Three Thousand) to be paid by High Court Legal Services Sub Committee Aurangabad.

Sd/-
(K.K. SONAWANE, J.)

Sd/-
(T.V. NALAWADE, J.)

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