

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 341 OF 2019

1. Abdul Sataar Khan, Zaheer Khan
S/o Khan Zaheer Khan, wrongly
mentioned in FIR as Juber Khan
Jahir Khan
Age : 19 Years, Occ. Labour
R/o. Jahagir Colony, Harsool,
Aurangabad
2. Abdul Raheman Khan Jahir
Khan, wrongly mentioned in
FIR as Abdul Khalil Jahir Khan
@ Kallu
3. Khaled Mohammad Shaikh S/o
Mohammad Shaikh, wrongly
mentioned in FIR as Khalid
Chaus,
Age : 35 Years, Occ. Labour
R/o. House No.5-10-132, Iqbal
Nagar, Rahemaniya Colony,
Aurangabad
4. Husen Mohammad Alamodi,
wrongly mentioned in FIR as
Hussian Chouse,
Age : 30 Years, Occ. Labour
R/o. Rayyas Bakoda, Darga Road,
Near Bimai Masjid, Chamanpura,
Gangapur, Aurangabad.

.. PETITIONERS

VERSUS

1. The State of Maharashtra
Through Police Station Officer,
CIDOCO Police Station,
Aurangabad
2. Shaikh Shoeb Shaikh Abdul
Salim,
Age : 24 Years, Occ. Rickshaw Driver,

R/o. In the house of Shaikh Babu,
Misarwadi Galli No. 10,
Aurangabad.

.. RESPONDENTS

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Advocate for the Petitioner : Mr. R. B. Narwade Patil
A.P.P for Respondent-State : Mr. M.M. Nerlikar

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CORAM :T.V. NALWADE AND
MANGESH S. PATIL ,JJ.
DATE :22nd APRIL, 2019.

ORAL JUDGMENT(Per T.V. NALWADE, J] :-

Rule. Rule made returnable forthwith. By consent heard both the sides for final disposal.

2. Heard both the sides.
3. The proceeding is filed for relief of quashing of F.I.R No. 629 of 2018 registered with CIDCO Police Station for the offence punishable under Sections 307, 364, 324, 323, 504, 506 read with Section 34 of the Indian Penal Code.
3. The petitioners are relatives of the first wife of respondent No.2- first informant. He has made allegations that on 25.12.2018 in the night time all the petitioners came to his house and they assaulted him first and they forcibly took him to other place and threat of life is given and they have detained there for sometime. He gave report on 26.12.2018.
4. During the argument learned counsel for the petitioners and

respondent No.2 submitted that parties have settled the dispute and the dispute had arisen out of matrimonial matter. The petitioners are relatives of first wife of first informant. This Court has seen the injury certificate which shows that respondent No.2 had sustained simple injury like trauma. In view of this circumstances, this Court holds that the relief needs to be granted. In the result petition is allowed. Relief is granted in terms of prayer clause 'B'. Rule made absolute in those terms.

[MANGESH S. PATIL]
JUDGE

[T.V. NALAWADE]
JUDGE

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