IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CRIMINAL REVISION APPLICATION NO. 152 OF 2005

Kalindabai Gangadhar Adgaonkar
Age: 35 years, Occu: Household,
New residing at Maujamabad,
(Farmarly at Kawalgaon, Tq. Purna
District Parbhani) .. Applicant
(Orig. Complainant)

Versus

1. Gangadhar Santukrao Adgaonkar
   Age: 43 yrs, Occu: Agriculture,
   R/o: Kawalgaon, Tq. Purna Dist: Parbhani

2. Santukrao Vithalrao Adgaonkar
   Age: 58 yrs, Occu: Agriculture,
   R/o: Kawalgaon, Tq. Purna Dist: Parbhani

3. Yamunabai Santukrao Adgaonkar
   Age: 53 yrs, Occu: Household,
   R/o: Kawalgaon, Tq. Purna Dist: Parbhani

4. Prabhawati Gangadhar Adgaonkar
   Age: 38 yrs, Occu: Household,
   R/o: Kawalgaon, Tq. Purna Dist: Parbhani

5. Anusaya Bhagwan Deshmukh
   Age: Major,
   R/o: Alegaon, Tq. Purna. Dist: Parbhani

6. Chandabai Balu Shekhapure
   Age: Bhadarpura, Tq. Loha,
   District: Nanded.

7. Shobhabai Uttam
   R/o: Khadak Manjri,
   Tq. Loha, District: Nanded

8. State of Maharashtra … Respondents
(Orig. Accused)

...

Mr. R.N. Borulkar, Advocate for Applicant
Mr. S.B. Pulkundwar, Advocate for Respondent Nos. 1 to 7
Mr. V.M. Kagne, APP for Respondent No.8-State

...

CORAM : V. K. JADHAV, J.
DATED : 24th JANUARY, 2019

ORAL JUDGMENT:-

1. Learned counsel for the applicant/wife submits that the respondents/ original accused though convicted by the trial Court for the offence punishable under Sections 498(A) and Section 323 read with Section 34 of the Indian Penal Code, the learned Ist Ad-hoc Additional Sessions Judge, Parbhani by judgment and order dated 30.03.2005 in Criminal Appeal No. 75 of 2003, allowed the appeal set aside the judgment and order of conviction passed by the trial Court and acquitted all the accused persons for the offence punishable under Section 498(A) and Section 323 read with Section 34 of the Indian Penal Code. Being aggrieved by the same, the applicant/original complainant has preferred this Criminal Revision Application and by order dated 03.04.2006 this Court has granted Rule. Learned counsel submits that thereafter the parties have arrived at amicable settlement and it was agreed between the parties that in terms of the settlement, the present applicant withdrew the said Criminal Application. However, inadvertently, this Criminal Revision Application remained pending as it was not withdrawn nor it

was listed for final hearing. Learned counsel for the applicant has submitted the copy of the settlement dated 08.06.2016 arrived at between the parties and the same is taken on record.

2. Learned counsel for the respondents/ original accused has also accepted this position. Learned counsel submits that in lieu of the full time settlement, one acre of land has been transferred in the name of the applicant/original complainant in the terms of the aforesaid settlement and her name also came to be mutated in respect of the said land. In view of the above and even after going through the judgment and order passed by the Ist Ad-hoc Additional Sessions Judge, Parbhani, I do not find any fault in it. The learned Additional Sessions Judge has rightly set aside the judgment and order of conviction passed by the trial Court and acquitted the respondents/original accused herein. Thus, considering the entire aspects of the case, I proceed to pass the following order:

ORDER

(I) The Criminal Revision Application is hereby dismissed. Rule discharged.

(V. K. JADHAV, J.)

***

Sam..