

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

CRIMINAL APPLICATION NO.1065 OF 2018

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| <p>1 Rukhminibai w/o. Sambhaji Gute,
Age 60 years, Occu. Household,
R/o. Tuljai Niwas, Plot No. 44,
Anand Housing Society, Nath Prangan,
Garkheda, Aurangabad.</p> <p>2 Sambhaji s/o. Manikrao Gute,
Age 67 years, Occu. Pensioner,
R/o. Tuljai Niwas, Plot No. 44,
Anand Housing Society, Nath Prangan,
Garkheda, Aurangabad.</p> <p>3 Raghvendra s/o. Sambhaji Gute,
Age 40 years, Occu. Business,
R/o. Tuljai Niwas, Plot No. 44,
Anand Housing Society, Nath Prangan,
Garkheda, Aurangabad.</p> <p>4 Dr. Ruchiketan s/o. Sambhaji Gute,
Age 38 years, Occu. Medical Practitioner,
R/o. Tuljai Niwas, Plot No. 44,
Anand Housing Society, Nath Prangan,
Garkheda, Aurangabad.</p> <p>5 Samrat Sambhaji Gute,
Age 32 years, Occu. Medical Practitioner,
R/o. Tuljai Niwas, Plot No. 14,
Garkheda, Aurangabad.</p> | <p>.. Applicants
(Original
Accused Nos.
2 to 5)</p> |
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Versus

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| <p>1 The State of Maharashtra</p> <p>2 The Police Station Incharge
Shivaji Nagar Police Station,
Beed.</p> <p>3 Dr. Dhanshri w/o. Samrat Gute,
Age 24 years, Occu. Medical Practitioner,
R/o. C/o. Babasaheb Bhagwatrao Jaybhaye,
Behind Asha Talkies Bale-peer Area,
Dhanora Road, Beed.
At present resident of Girls Hotel, Lata
Mangeskar Dental College, Hingana Road,
Nagpur.</p> | <p>.. Respondents</p> |
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Mr. Amol N. Kakade, Advocate for Applicants.

Mr. R. D. Sanap, APP for Respondents No.1 and 2.

Mr. Bipinchandra K. Patil, Advocate for Respondent No.3.

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

DATED : 29th AUGUST, 2019.

ORAL JUDGMENT (PER : T. V. NALAWADE, J.) :-

Rule. Rule is made returnable forthwith. Heard finally, with consent of learned counsels for parties.

2. The present proceeding is filed for the relief of quashing First Information Report bearing Crime No. 207 of 2018 registered with Shivaji Nagar Police Station, Beed, District Beed, for the offence punishable under Sections 498A, 323, 504 and 506 read with Section 34 of the Indian Penal Code. During the course of arguments, learned counsels for the applicants and first informant submit that parties have amicably settled the dispute. It is submitted that parties have taken the divorce with mutual consent and such Decree is obtained. The affidavits to that effect are filed by both the parties and same are taken on record.

3. In view of nature of allegations and subsequent development, this Court holds that relief needs to be granted in favour of the applicants. Accordingly, Criminal Application is allowed in terms of prayer clause "B". Rule is made absolute in those terms. No order as costs.

Sd./-

**[K. K. SONAWANE]
JUDGE**

Sd./-

**[T.V. NALAWADE]
JUDGE**