

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL WRIT PETITION NO. 728 OF 2019**

1. Suresh S/o Bajarang Zarekar,
Age : 65 Years, Occ. Advocate,
2. Sau. Pushpalata W/o Suresh Zarekar,
Age : 56 Years, Occ. Housewife,
3. Milind S/o Suresh Zarekar,
Age : 35 Years, Occ. Advocate
4. Sau. Sarika W/o Milind Zarekar,
Age : 30 Years, Occ. Advocate

All resident of Anmol Bangla No.5,
Behind Chatrapati Bajaj Showroom,
Nagar-Pune road, Ahmednagar

..PETITIONERS

VERSUS

1. The State of Maharashtra
Through Kotwali Police Station,
Ahmednagar
2. Renu Ajit Zarekar,
Age : 29 years, Occ. Advocate,
R/o. Abhijeet Monot Estates,
Station, Ahmednagar.

..RESPONDENTS

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Advocate for the Petitioner : Mr. A.C. Darandale

A.PP for respondent : Mr. D. R. Kale

Advocate for respondent No.2 : Mr. U. S. Malte

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**CORAM :T.V. NALWADE AND
K.K. SONAWANE ,JJ.**

DATE : 17th JULY, 2019.

JUDGMENT(PER T.V. NALWADE, J] :-

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

2. The proceeding is filed for relief of quashing of proceeding bearing Regular Criminal Case No. 431 of 2014 presently pending in the Court learned Judicial Magistrate First Class, Ahmednagar which is filed for the offence punishable under Sections 498-A, 406, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

3. During the arguments learned counsels for the petitioners and the learned counsel for the first informant submitted that parties have settled the dispute. It appears that there was mediation in Hon'ble Supreme Court and in the Hon'ble Supreme Court parties took a decision to settle the dispute and accordingly settlement terms were filed. One of the term was to withdraw all the proceeding filed by the wife and also by the husband. Accordingly, in the present matter the affidavit of the wife is filed which is to the effect that she has no intention to give evidence against the relatives of the husband in this Criminal Case and she has no objection to give relief to the present petitioners who are relatives of the husband. The husband is dead. So the petition is allowed. Relief is granted in terms of prayer clause 'B'.

4. Rule made absolute in those terms.

[K.K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE

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