

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1865 OF 2019

- 1] Martand Pitambar Patil,
Age 55 years, Occ.
R/o. Mundane, Taluka Shahada,
District Nandurbar.
- 2] Nalubai Martand Patil
Age 51 years, Occ. Household,
R/o. Mundane,
Taluka Shahada, Dist. Nandurbar.
- 3] Suresh Tukaram Suryawanshi,
Age 60 years, Occ.
R/o. Mundane,
Taluka Shahada, Dist. Nandurbar.
- 4] Malubai Suresh Suryawanshi,
Age 57 years, Occ. Household,
R/o. Mundane,
Taluka Shahada, Dist. Nandurbar.
- 5] Ravindra Martand Patil
Age 33 years, Occ. Agri.
R/o. Mundane,
Taluka Shahada, Dist. Nandurbar.

,, APPLICANTS.

VERSUS

- 1] The State of Maharashtra.
- 2] Jagruti Ravindra Bhamare,
Age 25 years, Occ. Household,
R/o. Plot No.5, Nitinnagar,
Dongargaon Road,
Shahada, Taluka Shahada,
District Nandurbar.

... RESPONDENTS.

Mr. Amit S. Savale, Advocate for applicant.
Mrs. V.S. Chaudhari, APP for respondent No.1
Mr. G.A. Nagori, Advocate for respondent No.2.

**CORAM :T.V. NALAWADE AND
K.K. SONAWANE ,JJ.
DATE : 20th August, 2019.**

ORAL JUDGMENT[PER T.V. NALAWADE,J]

1] Leave to amend is allowed so as to add husband as party applicant No.5. Amendment be carried out immediately as relief is given to him also. Heard. Rule. Rule made returnable forthwith. Heard finally by consent of parties.

2] The proceeding is filed for the relief of quashing and setting aside the FIR No. 266 of 2018 registered with Shahada Police Station, for the offence punishable under Sections 498-A, 420, 467, 494, 406, 323, 506 and 34 of IPC.

3] During the arguments, the learned counsel for applicants and the learned counsel for informant-wife (respondent No.2) submitted that the parties have settled the dispute. An affidavit is filed on record wherein it is stated that the spouses have decided to separate from each other by filing a proceeding for divorce by mutual consent and said proceeding is filed.

3] In view of these circumstances, this court holds that it is not desirable to continue the proceeding against the applicant in view of the amicable settlement by the parties. In the result, the application is allowed. Relief is granted in terms of prayer clause (B). Rule made absolute in those terms. No orders as to costs.

[K.K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE

grt/