

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

**BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.2196 OF 2019**

1. Nikhil S/o Shankar Helaskar,  
Age : 33 Years, Occ. Business,
2. Shankar S/o Digambar Helaskar,  
Age : 64 Years, Occ. Business,
3. Manda W/o Shankar Helaskar,  
Age : 54 Years, Occ. Household,  
  
1 to 3 resident of Mahesh Nagar, Sailu,  
Tq. Sailu Dist. Parbhani
4. Sow. Shweta W/o Swapnil Helaskar,  
Age : 31 Years, Occ. Household,  
R/o. Mahesh Nagar, Sailu,  
Tq. Sailu, Dist. Parbhani  
Now at Flat No. 702, Building A-3,  
Warje Malwadi, Warje, Pune City.
5. Sumit S/o Harishchandra Akkar,  
Age : 33 Years, Occ. Business,  
R/o. Kasar Galli, Ozar,  
Tq. Niphad, Dist. Nashik
6. Ankita W/o Sumit Akkar,  
Age : 31 Years, Occ. Household,  
R/o. Kasar Galli, Ozar,  
Tq. Niphad, Dist. Nashik

..PETITIONERS

VERSUS

1. The State of Maharashtra,  
Through the Police Station Officer,  
Kaij Police Station,  
Dist. Beed.
2. Sou. Rutuja W/o Nikhil Helaskar,  
Age : 25 Years, Occupation : Household,  
R/o. Shukrawar Peth, Gandhi Chowk,  
Kaij, Dist. Beed.

..RESPONDENTS

...  
Advocate for Applicants : Mr. S. D. Ingle  
APP for Respondents: Mr. A. S. Shinde  
Advocate for Respondents No.2: Mr. N.R. Thorat  
...

**CORAM :T.V. NALAWADE AND  
K.K. SONAWANE ,JJ.  
DATE : 14<sup>th</sup> AUGUST, 2019.**

**JUDGMENT : [PER T.V. NALAWADE, J.]**

1. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.
2. The proceeding is filed for relief of quashing of First Information Report No.389 of 2018 registered with Kaij Police Station, District Beed for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and case filed in the said FIR Bearing Regular Criminal Case No. 268 of 2018, pending in the Court of learned Judicial Magistrate, First Class, Kaij, District Beed. Relief of quashing of that case is also claimed. Amendment to be carried out to add that relief in main matter.
3. During the argument, learned counsel for the applicants and first informant submits that parties have settled the dispute. They have filed affidavit of both the sides. It appears that parties have decided to file the proceeding bearing Hindu Marriage Petition No. 93 of 2018, in the

Court of Civil Judge, Senior Division, at Parbhani for mutual divorce and they have settled the dispute. The wife has not intention to give evidence against the husband and relatives. In view of this circumstances, this Court holds that relief needs to be given. In the result, following order :-

**ORDER**

1. Application is allowed.
2. The First Information Report No.389 of 2018 registered with Kaij Police Station, District Beed and the case filed in the FIR bearing R.C.C. No. 268 of 2018, pending in the Court of learned Judicial Magistrate, First Class, Kaij, District Beed both are hereby quash and set-aside.
3. Rule made absolute in those terms.

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

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

YSK/