

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 2478 OF 2019

1. Mohammad Shakil Khan S/o Mod. Ibrahim Khan,
Age: 42 years, Occ: Teacher,
R/o: Ali Shaha Mohalla, Mittika Sher, Dist. Parbhani.
 2. Najma Khatoon W/o. Mod. Ibrahim Khan,
Age: 71 years, Occ: Household,
R/o: Ali Shaha Mohalla, Mittika Sher, Dist. Parbhani.
 3. Mohammad Anis Khan S/o Mod. Ibrahim Khan,
Age: 43 years, Occ: Service,
R/o: Qurban Ali Shah Nagar, Dargah Road, Parbhani.
 4. Tanvir Fatema Md. Muzaffaruddin,
Age: 30 years, Occ: Teacher (Service),
R/o: Near Makdumpura Masjid, Parbhani.
- ... **APPLICANTS**
(Orig. Accused)

VERSUS

1. The State of Maharashtra,
Through P.I. Police Station,
Parli (City), Parli, Dist. Beed.
 2. Najma Begum (Divorcee) W/o. Md. Shakil Khan,
Age: 28 Years, Occ: Household,
(Daughter of Syed Musdaiqh Syed Jafar)
R/o: Peth Mohalla, Parli, Tq. Parli, Dist. Beed.
- ... **RESPONDENTS**

...
Mr. Shaikh Wajeed Ahmed, Advocate for Applicants.

Mr. R. D. Sanap, APP for Respondent No.1 / State.

Mr. Vikas R. Nawathe, Advocate for Respondent No.2.

...

CORAM : **T. V. NALAWADE &
R. G. AVACHAT, JJ.**

DATE : 04th September, 2019.

ORAL JUDGMENT: (Per T. V. Nalawade, 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 of R.C.C. No.150 of 2018, pending in the Court of learned Judicial Magistrate First Class, Parli, District Beed. The case is filed by police in Crime No.102 of 2018, registered with Parli (City) Police Station, Parli, District Beed, for the offences punishable under Sections 498-A, 323 and 504 read with 34 of the Indian Penal Code.

3 During arguments, the learned counsel for Applicants and the learned counsel for first informant submitted that the parties have settled the dispute. Affidavit to that effect is filed and it shows that as per the personal law, they obtained *Khula* and they have decided not

to prosecute the matters filed against each other. In view of such submissions and affidavit, this Court holds that relief needs to be granted. In the result, the following order is passed:

ORDER

- I. The application is allowed.
- II. Relief is granted in terms of prayer clause (B).
- III. Rule is made absolute in those terms.

[R. G. AVACHAT, J.]

[T. V. NALAWADE, J.]

ndm