

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

CRIMINAL APPLICATION NO. 2722 OF 2019

1. Rekha W/o. Bhausahab Jare, **...APPLICANTS**
Age-37 years, Occu-Social Work,
2. Runal S/o. Bhausahab Jare,
Age-22 years, Occu- Fitness Trainer,

Both R/o. Plot No. 304, Shantiban Apartment
Shani Chowk, Court Lane, Ahmednagar,
Tq. & Dist. Ahmednagar

VERSUS

1. The State of Maharashtra, **...RESPONDENTS**
Through its Investigation Officer,
Kotwali Police Station, Ahmednagar,
Tq. & Dist. Ahmednagar
2. Mangal W/o. Vilas Bhujbal,
Age-36 years, Occu-Housewife,
R/o. Agarkar Mala, Station Road,
Ahmednagar, Tq. & Dist. Ahmednagar

Mr. Narayan B. Narwade, Advocate for the applicants
Mr. A. R. Kale, APP for the respondent/State
Mr. D. R. Markad, Advocate for respondent No. 2

WITH
CRIMINAL APPLICATION NO. 2961 OF 2019

1. Vilas S/o. Chandrakant Bhujbal, **...APPLICANTS**
Age-45 years, Occu- Service,
R/o. Agarkar Mala, Station Road,
Ahmednagar
2. Mangali W/o. Vilas Bhujbal,
Age-37 years, Occu-Service and Social Work,

Resident of Agarkar Mala, Station Road,
Ahmednagar

VERSUS

1. The State of Maharashtra, **...RESPONDENTS**
Kotwali Police Station, Ahmednagar,
Tq. & Dist. Ahmednagar
2. Rekha W/o. Bhausahab Jare,
Age-37 years, Occu-Social Work,
R/o. Shantiban Apartment, Flat No. 304,
Shani Chowk, Court Lane,
Ahmednagar

**CORAM : T. V. NALAWADE &
S. M. GAVHANE, JJ.**

DATE : 14-11-2019

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

. Rule. Rule made returnable forthwith. With the consent of parties the matter is heard finally.

2. Criminal application No. 2722 of 2019 is filed for relief quashing of FIR bearing No. 1086 dated 29-07-2019 registered with Kotwali Police Station, Ahmednagar for the offences punishable under Sections 452, 323, 504, 506, 427 read with Section 34 of the Indian Penal Code and second Criminal Application No. 2961 of 2019 is filed for relief of quashing of FIR bearing No. 1084 of 2019 dated 28-07-2019 registered with Kotwali Police Station, Ahmednagar for the offences punishable under Sections 452, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. During the arguments the learned counsels for the applicants in both the proceedings submitted that the parties have settled the dispute and respondents No. 2 from both the proceedings have filed affidavits to that effect. There are affidavits of informants filed in two proceedings showing that they have settled the dispute and both the informants have no intention to give the evidence against the applicants in both the proceedings.

4. Learned APP today submitted that as against Rekha from proceeding No. 2722 of 2019 Crime for the offence punishable under Section 500 of the IPC was registered in the past and it is bearing No. 1170/2019 at Tofkhana Police Station, Nagar and in Bhingar Camp Police station Crime No. 108/2018 under Section No.353. The State has opposed the application.

5. In view of the nature of allegations and as the parties are now settling the dispute, to avoid further dispute, this court holds that relief needs to be given but subject to some condition.

6. In the result, following order is passed:

ORDER

I. Both the applications are allowed.

II. Relief is granted in both the applications in terms of prayer clause (B) subject to deposit cost of Rs. 10,000/- in each proceedings by the applicants. The

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cost amount is to be deposited in High Court Legal Services Authority, Sub-Committee, Aurangabad within fifteen days from today. If cost is not deposited it is to be presumed that both the proceedings are dismissed.

III. Rule is made absolute in those terms.

[S. M. GAVHANE, J.]

[T. V. NALAWADE, J.]