

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2754 OF 2019

1] Mr. Sandeep M. Motegaonkar
Age 37 years, Occ. Service,
Indian inhabitant.

2] Smt. Sushila M. Motegaonkar,
Age 65 years, Occ. Housewife,
Indian Inhabitant
Both Residing at Renapur, Taluka Renapur,
District Latur.

3] Santosh M. Motegaonkar
Age 39 years, Occ. Service,

4] Rohini S. Motegaonkar
Age 38 years, Occ. Service,
Both Residing at Flat No.503, A Wing
Nilaya, Near Rajesh Society,
Lane No.18, Katraj, Pune, 411 046

5] Shital V. Kutwade,
Age 35 years, Occ. Housewife,
Residing at P.O. Bahalgaon,
Tal. Latur, District Latur.

. APPLICANTS.

VERSUS

1] The State of Maharashtra

2] Mrs. Neha S. Motegaonkar
Aged 26 years, Occ. Service,
Religion : Hindu Indian inhabitant
Residing at Mr. Rajesh Reddy
Ahmedpur Road, Opp. Petrol Pump
Sirur- Tajband, Tal. Ahmedpur,
District Latur Pin 413 514.

.. RESPONDENT

Mr. Shrikrashna B. Solanke, Advocate for petitioner

Mrs. V.N. Patil Jadhav, APP for respondent.
Mr. A.R. Magar, Advocate for respondent No.2.

**CORAM :T.V. NALAWADE AND
K.K. SONAWANE ,JJ.
DATE : 26th SEPTEMBER, 2019.**

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

Rule. Rule made returnable forthwith. Heard finally by consent of parties.

2] The present proceeding is filed for quashing the RCC No. 107 of 2016 pending on the filed of learned JMFC, Ahmedpur, Dist. Latur for the offence punishable under Sections 498-A, 406, 323 ar/w. 34 of IPC. Crime No. 156 of 2016 was registered with the Ahmedpur police station for the aforesaid offences.

3] During arguments, learned counsel for the applicant and respondent No.2 submitted that in the matrimonial dispute, the parties have settled the dispute. They have filed settlement on record which is in the form of affidavit of the first informant wife. It shows that they have decided to obtain divorce by mutual consent. The wife has no intention to give evidence against the respondent/husband.

4] In the result, the application is allowed in terms of prayer clause (B). Rule is made absolute in those terms. No costs.

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

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

grt/-