

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3325 OF 2019

Sayyad Nadimoddin Sayyad Nabiyooddin,
Age; 29 years, Occ; Labour,
R/o; Barbhai Mohalla, Digras,
Tq. Digras, Dist. Yawatmal.

....Applicant

VERSUS

1. The State of Maharashtra,
Through Police Station Kalamnuri,
Dist. Hingoli.

2. Neha Praveen w/o Sayyad Nadim,
Age; 21 years, Occ; Household,
C/o; Digras, Presently residing
at Weekly Bazar, Kalamnuri,
Tq. Kalamnuri, Dist; Hingoli.

....Respondents

...

Advocate for the applicant : Mr. S.S. Deshmukh
APP for respondent State : Mr. V.S. Chaudhary

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CORAM : T.V.NALAWADE, &
M.G.SEWLIKAR, JJ.

DATE : 09th DECEMBER, 2019.

ORAL JUDGMENT :

1) Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.

2) The application is filed for quashing and setting aside the FIR bearing C.R. No. 326/2017

registered with Kalamnuri Police Station, District Hingoli (R.C.C. No. 5 of 2018 pending before the Id. J.M.F.C., Kamalnuri) for the offences punishable under sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code (I.P.C.).

3. During arguments the learned counsel for the applicant submits that the husband (applicant) and wife and in-laws have settled the dispute. He further submits that an application bearing Criminal Application No. 7154 of 2017 (Shama Parveen s/o Shaikh Waseem and others versus The State of Maharashtra and Another) which was pending before the other Court came to be allowed by the order dated 7.6.2016 vide which the F.I.R. has been quashed to the extent of the applicants in that application. The said order shows that it was submitted that the wife had settled the dispute with husband and they had agreed to live separate from each other. A pursis to that effect was filed in the above said Criminal

Application.

4. In view of the fact that the parties have settled their dispute and the submissions made before this Court, we quashed and set aside the F.I.R. registered at Cr. No. 326/2017 with Police Station Kalamnuri, District Hingoli for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code, as far as the present applicant is concerned. Rule is made absolute in those terms.

[M.G.SEWLIKAR]
JUDGE

[T.V.NALAWADE]
JUDGE

mahajansb/