

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 1807 OF 2018

1. Dipak s/o. Bhikan Wagh,
Age 30 years, Occu. Profession,
2. Sau. Vithabai w/o. Bhikan Wagh,
Age 54 years, Occu. Household,
3. Bhikan Khandu Wagh,
Age 64 years, Occu. Nil,
4. Vitthal Bhikan Wagh,
Age 33 years, Occu. Nil,
5. Sau. Sunita Vitthal Wagh,
Age 28 years, Occu. Nil,

All are R/o. Nandra, Meharunbare,
Dist. Jalgaon.

....Petitioners.

Versus

1. The State of Maharashtra
Through,
Police Inspector, Ramanand Nagar
Police Station, Jalgaon, Dist. Jalgaon.
2. Rupali w/o. Dipak Wagh,
Age 25 years, Occu. Household,
R/o. Dharangaon, Tal. Chalisgaon,
Dist. Jalgaon.

....Respondents.

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Advocate for Petitioners : Mr. M.G. Patil
APP for Respondent/State : Mr. K.S. Patil
Advocate for Respondent 2 : Mr. S.R. Awad (appointed)
Advocate for Respondent 2 : Mr. D.A. Madake

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**CORAM : T.V. NALAWADE AND
K.K. SONAWANE, JJ.**
DATED : 19/07/2019.

ORAL JUDGMENT :

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

2. Permission is granted to add the prayer of quashing of the case itself. Amendment is to be carried out forthwith.

3. The present proceeding is filed for relief of quashing of C.R. No. 131/2018 registered with Mehunbare Police Station, Tal. Chalisgaon, District Jalgaon for the offences punishable under sections 494-A, 323, 504, 506 r/w. 34 of Indian Penal Code. During arguments, it was submitted that even chargesheet is filed and R.C.C. No. 22/2019 is filed in the Court of J.M.F.C., Chalisgaon for aforesaid offences. The learned counsel for applicants and first informant submitted that parties have settled the dispute. Copy of application filed for mutual divorce is produced to show that proceeding came to be filed on 11.6.2019. Today affidavit first informant came to be filed which is to the effect that she has settled the dispute and she has no objection to give the relief claimed to the applicants who are husband and relatives of the husband. In view of these

circumstances, this Court holds that relief needs to be granted. In the result, the application is allowed. Relief is granted in terms of prayer clause 'B' and the aforesaid case is quashed. The fees of the appointed counsel is quantified as Rs.3,000/- and it is to be paid through High Court Legal Services Sub Committee, Aurangabad.

Rule is made absolute in those terms.

[K.K. SONAWANE, J.]

[T.V. NALAWADE, J.]

ssc/