

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 240 OF 2020

1. Amol Suresh Ahire
Age : 41 Years, Occu: Service
2. Suresh Sukhdev Ahire
Age: 68 Years, Occu : Retired
3. Asha Suresh Ahire
Age : 63 Years, Occu: Household

All R/o. Flat No. 7, Phule Chambers,
Shivdarshan Chauk, Opposite,
Rajiv Gandhi E-learning Center,
Pune, Tq. & Dist. Pune.

4. Anand Suresh Ahire
Age : 44 Years, Occu: Pri. Service,
R/o. Flat No. 7, Phule Chambers,
Shivdarshan Chauk, Opposite,
Rajiv Gandhi E-learning Center,
Pune, Tq. & Dist. Pune.

At Present R/o. Milpitas, California,
United States of America.

5. Vaishali Suresh Ahire
Age : 45 Years, Occu: Doctor,
R/o. Flat No. 7, Phule Chambers,
Shivdarshan Chauk, Opposite,
Rajiv Gandhi E-learning Center,
Pune, Tq. & Dist. Pune.

At Present R/o. Hospitalist, At Sutter
Gould Medical Foundation, Modesto,
California, United States of America.

...Applicants

Versus

1. The State of Maharashtra
Through its M.I.D.C. Cidco Police Station,
Aurangabad Tq. and Dist. Aurangabad.
2. Bharati Amol Ahire,
Age: 41 Years, Occu: Service,
R/o: A 306, Blue Bell Apartment,
M.I.D.C. Chikalthana, Aurangabad

...Respondents

Mr V.B. Patil, Advocate for Applicants
Mr A.V. Deshmukh, A.P.P. for Respondent No. 1/State
Mr J.V. Deshpande, Advocate for Respondent No. 2

**CORAM : T.V. NALAWADE AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 3rd NOVEMBER, 2020

ORAL JUDGMENT : (PER T.V. NALAWADE, J.)

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

2. Present proceeding is filed for relief of quashing of First Information Report No. 414 of 2018 registered with M.I.D.C. CIDCO Police Station, Aurangabad for offences punishable under sections 498-A, 323, 504, 506 read with section 34 of the Indian Penal Code. The relief is also claimed for quashing of R.C.C. No. 2412 of 2019 filed in the aforesaid C.R. and it is pending in the Court of learned 7th Judicial Magistrate First Class, Aurangabad. During arguments, the learned Counsel for the applicants and informant submitted that parties have settled the dispute. Affidavit to that effect of informant Smt. Bharati Amol Ahire is filed on the record. The submissions made show that the parties have decided to take divorce by mutual consent and the wife has no objection to grant the aforesaid relief in favour of the present applicants. The learned Counsel appointed by respondent No. 2 is present, and he has admitted this contention of the applicants. In the result, following order.

ORDER

- (i) The application is allowed.
- (ii) The relief is granted in terms of prayer clause (B).
- (iii) Rule is made absolute in those terms.

[SHRIKANT D. KULKARNI, J.]**[T.V. NALAWADE, J.]**

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