

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 5655 OF 2017

Santosh s/o Siddhartha Sawai,
Age: 27 years, Occu. Business,
R/o. Mali Vesh Subhash Road,
Beed, Tq. & Dist. Beed.

... APPLICANT

VERSUS

1] The State of Maharashtra,
Through City Police Station,
Beed, Tq. & Dist. Beed.

2] Bebi w/o Manoj Jadhav,
Age: 48 years, Occu. Household,
R/o. Sneha Nagar, Beed,
Tq. & Dist. Beed.

... RESPONDENTS

(Res. No. 2 Orig. Complainant)

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Mr. Shivaji K. Naikwade, Advocate for Applicant (Absent).

Mr. K. D. Mundhe, APP for Respondent/State.

Mr. B. M. Dhanure, Advocate for Respondent No.2. (Absent).

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

DATE : 22nd October, 2020.

ORAL JUDGMENT: (Per T. V. Nalawade, J.)

. Rule. Rule made returnable forthwith.

2 Heard the learned APP. Mr. Naikwade, learned counsel representing Applicant and Mr. Dhanure, learned counsel representing the informant are not present. The learned APP produced on record the report of investigating officer and the papers of investigation. There is affidavit in reply of the informant, Bebi Jadhav. Due to these circumstances, this Court is disposing of the matter by passing the order.

3 The application is filed for relief of quashing of CR No.155 of 2014, registered with City Police Station, Beed, for the offence punishable under Section 363 of the Indian Penal Code. The FIR was given by Respondent No.2. In the FIR she has made allegations that her minor daughter was kidnapped by the present Applicant. The record and police papers show that at the relevant time, the girl was minor, but after becoming major, she married with the present Applicant. As the parents were against this marriage, she had left the place of her parents. The statement shows that the Applicant had no role like taking her out of the parents custody. At present, she is major. Further, there is a statement of the informant, mother of the girl and it shows that they have settled the dispute and she has no objection to give the relief of quashing of FIR. In view of the police

report, papers of investigation and the affidavit of Respondent No.2, this Court holds that the relief needs to be granted. In the result, the following order is passed:

ORDER

- I. The application is allowed.
- II. Relief is granted in terms of prayer clause (A).
- III. Rule is made absolute in those terms.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE, J.]

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