

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.748 OF 2004**

The State of MaharashtraAppellant/Complainant
Vs.

Madhavi Pandurang Govilkar & Ors.Respondents/Accused

**WITH
REVISION APPLICATION NO.116 OF 2004**

Sharayu Sameer GovilkarApplicant
Vs.

Madhavi Pandurang Govilkar & Ors.Respondents

Ms. Anamika Malhotra, APP for appellant in criminal appeal no.748 of 2004.
Mr. Uday P. Warunjikar for respondent nos.1 to 3 in criminal appeal no.748 of 2004.

Mr. Sudatta Patil a/w. Ms. Pooja Khimani for applicant in revision application no.116 of 2004.

Mr. Rajesh More for respondent nos.1 to 3 in revision application no.116 of 2004.

Mrs. Sharayu Sameer Govilkar, original complainant present.

Mrs. Madhavi Pandurang Govilkar, accused no.1 present.

Mrs. Kirti Ashish Dharap, accused no.2 present.

Mr. Sameer Pandurang Govilkar, accused no.3 present.

CORAM : K.R.SHRIRAM, J.

DATE : 2nd MARCH 2020

P.C.:

1 This is an appeal impugning an order and judgment dated 20th February 2004 passed by the (I) Ad-hoc Additional Sessions Judge, Raigad-Alibag, acquitting the respondents (the accused) of offences under Section 498-A (*Husband or relative of husband of a woman subjecting her to cruelty*) read with Section 34 (*Acts done by several persons in furtherance of common intention*) of Indian Penal Code (IPC).

2 Since the matter was very old, on 24th February 2020 when the matter was called out and respondents were represented, the Court enquired with the learned APP as well as Mr. Warunjikar whether the parties have

reconciled or separated and whether they wish to continue with the matter. Mr. Warunjikar stated that he will have to take instructions. Mr. Warunjikar stated that he will also try to contact original complainant/her advocate and enquire the status of the marriage. Based on that, the matter was listed on 26th February 2020 when original complainant's advocate Mr. Kedar Patil was also present in Court. On Court's directions, original complainant as well as all the accused are present in Court. Original complainant Mrs. Sharayu Sameer Govilkar is present in Court and is identified by Mr. Sudatta Patil. Mrs. Sharayu Sameer Govilkar states that she has remarried and Mr. Warunjikar states that accused no.3 also has remarried. Mr. Sudatta Patil states that original complainant does not wish that this appeal be continued. Ms. Malhotra, learned APP states that now these offences are compoundable and therefore, the Court may dispose of the appeal.

3 Appeal accordingly stands disposed.

4 Original complainant had filed a revision application no.116 of 2004 which also, in view of the above order, stands disposed.

5 Both parties, i.e., Mrs. Sharayu Sameer Govilkar and accused no.3 – Mr. Sameer Pandurang Govilkar and the other respondents, state that they have no claim or allegations anything pending against each other and they shall not file any complaint or petition against each other. Statements accepted as undertakings to this Court.

(K.R. SHRIRAM, J.)