

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO.50 OF 2021

- 1) Dnyaneshwar S/o Aabasaheb Shinde,
Age-32 years, Occu:Agri.,
- 2) Sushilabai W/o Aabasaheb Shinde,
Age-57 years, Occu:Household,
- 3) Anil S/o Aabasaheb Shinde,
Age-30 years, Occu:Agri.,

Applicant Nos. 1 to 3,
R/o-Bidkin, Taluka-Paithan,
District-Aurangabad,

- 4) Kalpana W/o Kailash Wabale,
Age-35 years, Occu:Household,
- 5) Kailash S/o Rangnath Wabale,
Age-37 years, Occu:Agriculture,

Applicant Nos. 4 and 5
R/o-Renukawadi, Taluka-Paithan,
District-Aurangabad.

...APPLICANTS

VERSUS

- 1) The State of Maharashtra,
Through Police Inspector,
Bidkin Police Station, Bidkin,
Taluka-Paithan, District-Aurangabad,
- 2) Sapna @ Punam W/o Dnyaneshwar Shinde,
Age-26 years, Occu:Household,
R/o-C/o-Suresh Murlidhar Hinge,
New Khampimpri, Taluka-Shevgaon,
Dist-Ahmednagar.

...RESPONDENTS

...
Mr.N.E. Deshmukh Advocate for Applicants.
Mr.M.M. Nerlikar, A.P.P. for Respondent No. 1.
Mr.R.H. Mewara Advocate for Respondent No. 2.
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**CORAM: SUNIL P. DESHMUKH AND
NITIN B. SURYAWANSHI, JJ.**

DATE : 1st SEPTEMBER, 2021

ORDER :

1. By this application the applicants seek quashing of first information at Crime No. 52 of 2013 registered with Bidkin police station, Bidkin, Taluka-Paithan, District-Aurangabad and the proceedings pursuant thereto of Sessions Case No. 205 of 2015 for the offences punishable under Sections 498-A, 313, 323, 504, 506, read with Section 34 and 109 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, pending on the file of learned Sessions Court, Aurangabad.

2. During the pendency of the application, the parties have arrived at a settlement and the settlement terms are placed on record of this court and those are marked as "X" for identification. The parties shall abide by the terms of the settlement at "X".

3. On a query to the learned APP, he has fairly conceded that there is absolutely no material to substantiate the charges under Section 313 of the Indian Penal Code.

4. First informant is present in the Court. We have asked her and she has accepted that the matter is amicably settled and she has no objection if the afore-stated proceedings against the applicants are quashed.

5. Taking into consideration the fact that this is matrimonial dispute, which is amicably settled between the parties, we allow the criminal application. The first information report at Crime No. 52 of 2013 registered with Bidkin police station, Bidkin, Taluka-Paithan, District-Aurangabad and the proceedings pursuant thereto of Sessions Case No. 205 of 2015 for the offences punishable under Sections 498-A, 313, 323, 504, 506, read with Section 34 and 109 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, pending on the file of learned Sessions Court, Aurangabad are hereby quashed and set aside.

6. Criminal application is allowed as above and disposed of, accordingly.

[NITIN B. SURYAWANSHI]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

asb/SEP21