

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 443 OF 2020

1. Omprakash Dayaram Malu
Age : 64 years, Occu. Business,
R/o. 156, Mahaveer Nagar,
Opp. Shah Hospital, Sangli,
Dist. Sangli.
2. Pushpa Omprakash Malu,
Age : 59 years, Occu. Nil,
r/o. As above.
3. Ritu w/o Shahu Patil
Age : 34 years, Occu. Private Service
R/o. 156, Vakhar Bhag,
Opp. Shah Hospital, Sangli,
Dist. Sangli.

... APPLICANTS
(Orig. Accused)

VERSUS

1. The State of Maharashtra,
Through Police Station Officer
Sailu Police Station,
Sailu, District Parbhani.
2. Radhika Bhushan Malu
Age : 28 years, Occu : Service,
R/o. C/o. Girdhari Narayandasji Kabra,
Nutan Road, Sailu, Taluka Sailu,
District Parbhani.

... RESPONDENTS
(No.2 Orig. First Informant)

Mr. Swapnil S. Rathi, Advocate for the applicants
Mr. G. O. Wattamwar, APP for respondent No. 1/State
Mr. S. M. Kshirsgar h/f Mr. R. R. Chandak, Advocate for respondent No. 2.

WITH

CRIMINAL APPLICATION NO. 1604 OF 2020

Bhushan s/o Omprakash Malu
Age : 31 years, Occ : Service,
R/o. 156, Mahaveer Nagar,
Opp. Shah Hospital, Sangli,
Dist. Sangli.

... APPLICANT
(Orig. Accused)

VERSUS

1. The State of Maharashtra,
Through Police Station Officer
Sailu Police Station,
Sailu, District Parbhani.
2. Radhika Bhushan Malu
Age : 28 years, Occu : Service,
R/o. C/o. Girdhari Narayandasji Kabra,
Nutan Road, Sailu, Taluka Sailu,
District Parbhani.

... RESPONDENTS
(No.2 Orig. First Informant)

Mr. Swapnil S. Rathi, Advocate for the applicant
Mr. G. O. Wattamwar, APP for respondent No. 1/State
Mr. S. M. Kshirsgar h/f Mr. R. R. Chandak, Advocate for respondent No. 2.

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

DATED : 04-02-2021

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

1. Rule. Rule made returnable forthwith, heard finally with the consent of the parties for final disposal.
2. Both the proceedings are filed for relief of quashing of Crime No. 0321/2019 registered with Sailu Police Station, Sailu, Taluka Sailu, District Parbhani for the offence punishable under Sections 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code.
3. Relief is also claimed for quashing and setting aside charge-sheet bearing No. 195/2019. During argument learned counsel for the applicants and learned counsel for the informant submitted that the parties have settled the dispute. In both the matters relief is claimed in respect of same CR No. 0321/2019 and the same charge-sheet. This Court has gone through the contents of the affidavit-in-reply filed by the informant-respondent No. 2 and

its show that they have settled the dispute and they have decided to take divorce by mutual consent. Those terms and conditions are placed on record. As the informant has no objection to give the relief claimed, following order is passed.

ORDER

1. Both the applications are allowed.
2. relief is granted in both the proceedings in terms of prayer clause 'C'.

. Rule made absolute in those terms.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE , J.]

ssp