

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

103 CRIMINAL WRIT PETITION NO. 247 OF 2020

1. Maruti @ Ravi Bhimrao Phad,
Aged : 30 years, Occu. Agri.
2. Babu Bhimrao Phad,
Aged: 35 years, Occu. Business,
3. Sau Rajamati Bhimrao Phad,
Aged 56 years, Occu. Household,
All R/o Village Kanherwadi,
Tq. Parli-V, Dist. Beed. PETITIONERS

VERSUS

1. The State of Maharashtra,
Through Police Inspector,
Police Station Parli-V Rural,
District Beed.
2. Sau Sumedha W/o Maruti @ Ravi Phad,
Aged: 22 years, Occupation Household,
R/o C/o Dattu Pundlik Munde,
Village Kanherwadi, Tq. Parli-V,
Dist. Beed. ... RESPONDENTS

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Mr. Prabhakar N. Nagargoje, Advocate for petitioners
 Smt. V.N. Patil-Jadhav, APP for respondent No. 1- State
 Mr. Ashok A. Munde, Advocate for respondent No. 2

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

DATE : 1st FEBRUARY, 2021

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

1. Rule. Rule made returnable forthwith. By consent, heard learned counsel for the parties for final disposal at the admission stage.
2. During the course of argument, it was submitted that charge-sheet in present crime is filed. Permission is granted to amend the proceeding

and add the relief of quashing of case itself. Amendment be carried out forthwith.

3. Present proceeding is filed for relief of quashing of Crime No. 20 of 2020 registered with Parli-Vaijnath Rural Police Station District Beed for the offences punishable under Sections 498-A, 494, 323, 504 and 506 read with Section 34 of the Indian Penal Code. The crime is registered on the basis of report given by respondent No. 2 - Informant, the wife of petitioner No. 1. During arguments, learned counsels for the petitioners and respondent No. 2 submitted that parties have settled the dispute. Compromise Pursis - Consent Terms is filed on record. The informant is identified by one counsel. All the parties have signed the Compromise Pursis - Consent Terms. In the settlement document there is mentioned that wife has no objection for giving relief of quashing of the FIR and charge-sheet. In view of the Compromise Pursis - Consent Terms, which is taken on record, this Court holds that relief needs to be granted in favour of petitioners. Nothing can be achieved by asking the petitioners to face the criminal case for aforesaid offences.

4. In the result, Criminal Writ Petition is allowed. Relief is granted in terms of prayer clauses "C" and "C-I". Rule is made absolute in those terms.

Sd/-

[M. G. SEWLIKAR]
JUDGE

Sd/-

[T. V. NALAWADE]
JUDGE