

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

904 CRIMINAL APPLICATION NO.666 OF 2021

PARMESHWAR BHAUSAHEB SHENDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Prashant Shinde, Advocate for the applicants.
Mr. S.J. Salgare, A.P.P. for respondent No. 1.
Mr. Yogesh Somani, Advocate for respondent no. 2.

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CORAM : **SUNIL P. DESHMUKH AND
N.B. SURYAWANSHI, JJ.**

DATE : 21-09-2021.

ORDER :

1. The applicants have filed this application seeking quashing of proceeding of R.C.C. No. 1762/2018 pending on the file of Judicial Magistrate, First Class at Aurangabad for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. The F.I.R. in question was lodged by respondent No. 2 – wife against the husband and in-laws, who are the applicants in this application. In the F.I.R. allegations of cruelty and ill-treatment are levelled by the informant against the applicants. After completion of investigation, charge-sheet came to be filed.

3. During pendency of the present application, the parties have arrived at settlement and respondent No.2 and applicant No.1 have jointly filed petition F / No. 129/2020 under Section 13-B of the

Hindu Marriage Act for divorce by mutual consent.

4. Affidavit is filed by the informant confirming the amicable settlement of their matrimonial dispute and the fact that the parties have decided to part their ways by obtaining divorce by mutual consent which is already filed before the Family Court. It is also decided between applicant No. 1 and respondent No. 2 that applicant No. 1 shall pay an amount of Rs. 7,00,000/- towards permanent alimony to respondent No.2. It is informed at the bar that the amount is already deposited in the Family Court.

5. The parties are present before the Court and are identified by their respective advocates. The parties have confirmed mutual amicable settlement.

6. Considering the fact that the matrimonial dispute is settled amicably, we allow the Criminal Application in terms of prayer clause "B".

7. The Criminal Application is disposed of accordingly.

(N.B. SURYAWANSHI, J.)

(SUNIL P. DESHMUKH, J.)

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