

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 1740 OF 2020
WITH
CRIMINAL APPLICATION NO. 447 OF 2021
IN
CRIMINAL APPLICATION NO. 1740 OF 2020

1. Rehan Hamid Shaikh,
Age- 23 years, occ- Business,
2. Hamid Gulam Shaikh,
Age- 47 years, occ- Business,
3. Najmin Hamid Shaikh,
Age- 38 years, occ- Household,
4. Adnan Hamid Shaikh,
Age- 18 years, occ- Education,
5. Numan Tayyab Shaikh,
Age- 18 years, occ- Education,
6. Reshma Tayyab Shaikh,
Age- 35 years, occ- Household,
7. Tayyab Gulam Shaikh,
Age- 52 years, occ- Business,
8. Rajjak Gulam Shaikh,
Age- 49 years, occ- Business,
Above all R/o Kolhar Bhagwatipur,
Tal- Rahata, Dist- Ahmednagar.

... APPLICANTS

VERSUS

1. The State of Maharashtra.

2. Muskan Rehan Shaikh,
Age- 20 yrs. Occ. Housewife,
r/o Kolhar Bhagwatipur, Tal- Rahata,
Dist- Ahmednagar.
At- present r/o. Aastagaon Phata,
Rahata, Tal- Rahata,
Dist- Ahmednagar.

... **RESPONDENTS**
(Resp no. 2 is complainant)

...
Mr. Y. B. Pathan, Advocate for Applicants.

Mr. S. J. Salgare, APP for Respondent No.1 / State.

Mr. M. M. Mulla, Advocate for Respondent No.2.

...

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

DATE : 22nd February, 2021.

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

. Rule. Rule made returnable forthwith. By consent, heard
both the sides for final disposal.

2 Criminal Application No.447 of 2021 is filed for getting
permission of this Court to settle the dispute and dispose of the main
matter. This application is signed by the informant and the Applicants
of Criminal Application No.1740 of 2020.

3 The main proceeding, Criminal Application No.1740 of 2020 is filed for relief of quashing of FIR No.237 of 2020, registered with Loni Police Station, District Ahmednagar, for the offences punishable under Sections 498-A, 316, 323, 504, 506 read with 34 of the Indian Penal Code.

4 The FIR was given by Respondent No.2, who is the wife of Applicant No.1. The dispute is of matrimonial nature and it appears that the parties have settled the dispute. In view of the contents of Criminal Application No.447 of 2021 and as Respondent No.2 of the main proceeding is identified by the counsel, this Court holds that nothing can be achieved by asking the Applicants to face the trial of the case, if the case is filed against them. In the result, the following order is passed:

ORDER

- I. Both the applications are allowed.
- II. In Criminal Application No.1740 of 2020, relief is granted of quashing and setting aside FIR No.237 of 2020, registered with Loni Police Station, District Ahmednagar.

III. Rule is made absolute in those terms.

ndm

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE, J.]