

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

CRIMINAL APPLICATION NO. 1888 OF 2020

1. Sumeet S/o Prakash Bathiya
Age : 28 Years, Occu : Service
2. Prakash s/o Uttamchand Bathiya
Age : 60 Years, Occu : Business
3. Sau. Kamal @ Komal W/o. Prakash Bathiya
Age : 55 Years, Occ : Household
All R/o. Plot No. 86, Uttam Niwas
Samarth Nagar, Aurangabad
Tal. & Dist. Aurangabad.

.... APPLICANTS

VERSUS

1. The State of Maharashtra,
2. Sau. Khushboo w/o Sumeet Bathiya
Age : 27 years, Occu : Advocate,
R/o. C/o Sushil Jain,
Plot No. 41, Mayur colony, Deopur,
Dhule, Tal & Dist. Dhule

... RESPONDENTS

Shri. P. D. Jarare, Advocate for the applicants
Shri. A. V. Deshmukh, APP for respondent/State
Shri. A. V. Thombre, Advocate h/f Shri. S. V. Jadhawar, Advocate for
respondent No.2 .

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

DATED : 25-02-2021

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. Present proceeding is filed for relief of quashing of Crime No. 170/2020 registered with Deopur Police Station, Dist. Dhule for the offences punishable under Sections 498A, 307, 326, 504, 506 read with Section 34 of the Indian Penal Code. The crime was registered on the basis of report given

by respondent No. 2. This Court has carefully gone through the nature of allegations. Respondent No. 2 has filed affidavit-in-reply in which she has given no objection to grant the relief. She is identified by one counsel Shri. S. V. Jadhawar. In view of the office note learned counsel Shri. A. V. Thombre h/f Shri. Jadhawar was asked as to whether he has taken consent of Advocate Shri. V. P. Raje and his statement is that he had talk with Shri. Raje and he has no objection for making submission by Adv. Jadhawar. In view of nature of allegations made in the FIR and aforesaid circumstances this Court holds that relief needs to be given to the applicants. In the result, the application is allowed. Relief is granted in terms of prayer clause (B).

4. Rule made absolute in those terms.

[M. G. SEWLIKAR, J.]

[T. V. NALAWADE , J.]

ssp