

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

45 CRIMINAL APPLICATION NO.2110 OF 2020

Kakasaheb Shamrao Murkute
Age: 40 years, Occu: Agri.
R/o. Kedarkheda, Tq. Bhokardhan,
District: Jalna.

... Applicant

VERSUS

1. The State of Maharashtra
(Through Cidco Police Station,
Aurangabad City, Dist. Aurangabad.

2. Suvarna Ganesh Solanke
Age: 30 years, Occu: Household,
R/o. Navnathnagar, N-11, Hudco,
Aurangabad, District Aurangabad.

... Respondents

...

Mr. Nangare Prashant R., Advocate for Applicant
Mr. G. O. Wattamwar, APP for Respondent No.1/State
Mr. Umakant U. Wagh, Advocate for Respondent No.2

...

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

DATE : 14.01.2021

ORAL JUDGMENT :

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

2. Present proceeding is filed for relief of quashing of Crime No. 581 of 2020 registered with CIDCO Police Station, Aurangabad City,

Aurangabad for an offence punishable under Sections 376(2)(n) and Section 506 of the Indian Penal Code.

3. During arguments, the learned counsel for the applicant and respondent No.2-prosecutrix submitted that the parties have settled the dispute and prosecutrix has filed her reply affidavit, which is to the effect that she has no grievance against the present applicant and she has no objection to give the relief claimed by the applicant. This Court has carefully gone through the allegations made in the FIR. In view of the nature of allegations and the period over which the things were going on, this Court holds that the relief claimed needs to be granted. However, by making such serious allegation, the time of police and time of court is also consumed. In view of the things, which are required to be done in such proceeding, this Court holds that the applicant needs to deposit Rs.25000/- as cost of the proceeding. In the result, the following order:

ORDER

(a) The Criminal Application is allowed.

(b) The relief is granted in terms of prayer clause 'B' subject to depositing of the cost of Rs.25000/- by the applicant in the Court within four weeks from today. If the amount is not deposited within four weeks, it is to be presumed that the present proceeding is dismissed. If the amount is deposited, it is to be credited in the account of High Court Legal Services Sub-Committee, Aurangabad.

(c) Rule is made absolute in those terms.

(M.G. SEWLIKAR, J.)

(T.V. NALAWADE, J.)

Sameer