

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2278 OF 2020

1. Amjad Khan Hameed Khan,
Age-28 years, Occu- Lab our,
2. Ali Shaan Bi Hameed Khan,
Age-60 years, Occ-Household
3. Raees Khan Hameed Khan,
Age 26 years, Occ-Labour,
4. Shaban Bi Feroze Khan,
Age : 40 Years, Occ-Household,
5. Naseer Nasir Khan,
Age : 50 years, Occu-Labour,
6. Feroz Rashid Khan,
Age : 52 years, Occu-Labour,
7. Ayub Nayaz Khan,
Age : 60 years, Occ-Labour,
All R/o Chaupal, Mohalla,
Nasirabad, Tq. Bhusaval,
Dist. Jalgaon.

... APPLICANTS.

V E R S U S.

1. The State of Maharashtra,
Through the Police Station Rawer,,
Tq. Bhusawal, District : Jalgaon.
2. Reshmabi Amjad Khan,
Age : 30 years, Occupation: Household,
R/o: C/o Iqbal Sayyad Noor,
Parkot, Mohhalla, Rassalpur,
Tq. Rawer, Dist-Jalgaon

... RESPONDENTS

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Mr. Shaikh Mohammad Naseer A, Advocate for applicants
 Mr. B.V. Virde, APP for respondent No. 1
 Mt. Shakil U. Shaikh, Advocate for respondent No. 2

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

DATE : 24th 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. Present proceeding is filed for relief of quashing of Crime No. 73 of 2019 registered with Raver Police Station, District Jalgaon for the offences punishable under Sections 498-A, 323, 504, 506 and 354 read with Section 34 of the Indian Penal Code and also quashing for proceeding bearing Regular Criminal Case No. 72 of 2019 filed in that FIR, which is pending in the Court of Judicial Magistrate First Class, Raver. During arguments, learned counsels for the applicants and respondent No. 2 submitted that parties have settled the dispute. Respondent No. 2 - informant is wife of applicant No. 1 and statement was made by learned counsel for the applicants that original affidavit of respondent No. 2 is filed in the office and that original document is not attached with matter. So, the copy of said affidavit is produced on record. Respondent No. 2-informant is identified by learned counsel Mr. Shaikh. She has given no objection for giving aforesaid relief. In view of nature of dispute, this Court holds that relief needs to be granted. Nothing can be achieved by asking the applicants to face the criminal case for aforesaid offences.

4. In the result, Criminal Application is allowed. Relief is granted in terms of prayer clause "B". Rule is made absolute in those terms.

Sd/-

[M. G. SEWLIKAR]
JUDGE

Sd/-

[T. V. NALAWADE]
JUDGE