

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2169 OF 2021

Yunus Papamiya Mogal and others ... Applicants

VERSUS

The State of Maharashtra and another ... Respondents

...

Mr. Omprakash D. Totawad, Advocate for applicants

Mr. Y.G. Gujarathi, APP for respondent – State

Mr. S.L. Davgude, Advocate for respondent no.2

...

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

DATE : 22ND SEPTEMBER, 2021

PC :

1. Not on Board. Mentioned. Taken on Board.
2. By this application, the applicants seek quashing of crime no. 2/2015 registered with Police Station, Chaklamba, Taluka – Georai, District – Beed for the offence punishable under section 498A, 494, 323, 504, 506 r/w. 34 of the Indian Penal Code, which is now pending before the learned Judicial Magistrate First Class, Georai, District – Beed as R.C.C. no. 217 of 2016.
3. Applicant no. 1 is husband and applicant nos. 2 to 5 are the in-laws of informant / respondent no. 2. The informant, in short alleged in the FIR that her marriage with applicant no. 1 took place on 27-05-2005. Thereafter, she was treated well initially for a period of six months and, thereafter, all the applicants started demanding

Rs.5 Lakh for medical store. Applicant no. 1 used to come in drunken condition and used to beat her. Thereafter, the demand of Rs.1 Lakh was raised by the applicants for service of applicant no. 2.

4. During pendency of this proceeding, the parties have amicably settled the matrimonial dispute and settlement terms are filed before the trial Court. The same are also placed on record at pages 70 and 72A. As per the settlement, the informant / respondent no. 2 has gone for cohabitation to applicant no. 1 along with her daughter. The parties have resolved the misunderstanding between them and have agreed to stay together and lead a happy married life. Respondent no. 2 – informant has also filed affidavit confirming the compromise.

5. The parties are present today in the Court and they are identified by their respective Advocates. They confirm the amicable settlement of their matrimonial dispute.

6. In that view of the matter, we allow the Criminal Application and quash and set aside the proceedings of R.C.C. no. 217 of 2016 pending on the file of learned Judicial Magistrate First Class, Georai, District – Beed for the offence punishable under section 498A, 494, 323, 504, 506 r/w. 34 of the Indian Penal Code.

[N. B. SURYAWANSHI]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

arp/