

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

CRIMINAL APPLICATION NO. 2325 OF 2020

1. Yogesh S/o Babasaheb Solunke,
Age : 33, Occu : Service,
2. Babasaheb s/o Dattatraya Solunke,
Age : 62, Occu : Pensioner,
3. Rukhmini W/o Babasaheb Solunke,
Age : 56, Occu : Household,

All Plot No. 7, Yogiraj, Shiv Samadhan colony,
Vitkheda, Paithan Road, Aurangabad,
Tq. And Dist. Aurangabad.

.... APPLICANTS

VERSUS

1. The State of Maharashtra,
Through Police Inspector,
In Crime No. 539/2018 dated 17.12.2018
Satara Police Station, Aurangabad,
Tq. And Dist. Aurangabad.
2. Shubhada w/o Yogesh Solunke,
Age : 28, Occu : Advocate,
R/o Flat No. 11, Nilkantha Plaza,
Golegaonkar Colony, Railway Station Road,
Bansilal Nagar, Aurangabad,
Tq. And Dist. Aurangabad.

... RESPONDENTS

Shri. D. A. Mane, Advocate h/f Shri. D. M. Pingale, Advocate for the applicants
Shri. A. V. Deshmukh, APP for the respondent/State
Shri. J. V. Deshpande, 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 the proceeding

of R.C.C. No. 914/2019 which is pending in the Court of J.M.F.C., Aurangabad. The case is filed by police for the offences punishable under Sections 498A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. The crime was registered on the basis of report given by respondent No. 2. Applicant No. 1 is the husband of respondent No. 2. During argument learned counsels of applicants and respondent No.2 submitted that parties have settled the dispute. Reply to the effect of respondent No. 2 is filed on record. It appears that respondent No. 2 and applicant No. 1 have filed proceeding for mutual divorce. She has given consent for giving the relief claimed in the present proceeding. In view of this circumstances this Court holds that necessary relief be granted. In the result, 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