

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3776 OF 2019

1. Nishikant Chandrakant Mendhapurkar,
Age: 31 years, Occu. Private Service,
R/o : Flat No. 503, F Unit, Wing 1
Bhosari, Pune
2. Chandrakant Babura Mendhapurkar,
Age: 64 years, Occu. Retired
3. Rajahs Chandrakant Mendhapurkar,
Age: 50 years, Occu. Household,
4. Rajanikant Chandrakant Mendhapurkar,
Age: 22 years, Occu. Education,
Applicant No. 2-4 R/o Parkate Lane,
Udgir, Dist. Latur

...APPLICANTS

VERSUS

1. The State of Maharashtra,
Through In Charge,
Vimantal Police Station, Nanded,
Dist. Nanded.
2. Prajakta Nishikant Mendhapurkar,
Age: 21 years, Occu. Household,
R/o : C/o Baban Shriram Kale,
Gopal Nagar Sangvi (Bu), Nanded,
Tq. Dist. Nanded.

...RESPONDENTS

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Mr. Mahesh K. Bhosle, Advocate for Applicants
 Smt. V. N. Patil- Jadhav, APP for Respondent No. 1
 Mr. Prashant P. Dama, Advocate for Respondent No. 2

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

DATE : 3rd 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 admission stage.

2. Present proceeding is filed for relief of quashing the charge-sheet in Crime No. 0190 of 2019 registered with Vimantal Police Station, Nanded, District Nanded for the offences punishable under Sections 498-A, 323 and 504 read with Section 34 of the Indian Penal Code. A report was given by respondent No. 2, who is wife of present applicant No. 1. Applicants No. 2 and 3 are parents of applicant No.1 and applicant No. 4 is brother of applicant No. 1. During the course of arguments, learned counsels for the applicants and respondent No. 2 - informant submitted that parties have settled the dispute. A notarized document titled as "Deed of Settlement" is produced on record. In paragraph No. 2 of said document, it is mentioned that wife has no intention to prosecute the criminal matter and she has no objection to grant relief claimed by the applicants. They have also decided to obtain divorce by mutual consent. The said document is taken on record. As it is matrimonial dispute and parties have settled the dispute, this Court holds that present criminal application needs to be allowed. Accordingly, Criminal Application is allowed. Relief is granted in terms of amended prayer clause "B". Relief is made absolute in those terms.

[M. G. SEWLIKAR]
JUDGE

[T. V. NALAWADE]
JUDGE

MTK