

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4106 OF 2019

1. Muniza Kausar Farid Khan
age 56 years, occ. Teacher
r/o S.No. 419, Plot No. 11/12,
Usmaniya Park, Shivajinagar
Jalgaon, Tq. & Dist. Jalgaon
2. Benazir Fatema Nadimuddin Sayyad
age 24 years, occ. household & education
r/o Flat No. 106, 1st Floor,
B-wing, Global Hills, Kausa Mumbra
Bholenath nagar, Near Bharat Gears Company
Thane, Tq. & Dist. Thane.
3. Naushin Tabbsum Farid Khan
age 23 years, occ. Household & education
r/o S.No. 212, Ghar No. 781,
Galli no. 3, Guruwar Ward
Naya Azad Ngar, Malegaon
Tq. Malegaon, Dist. Nashik
4. Waqar Ali Ajmat Ali
age 25 years, occ. Vehicle business
r/o S.No. 212, Ghar No. 781,
Galli no. 3, Guruwar Ward,
Naya Azad Ngar, Malegaon
Tq Malegaon, Dist. Nashik
5. Shaikh Shaifiq Shaikh Jabbar
age 26 years, occ. Labour
r/o Abbas Nagar, Galli No 9
Malgaon, Tq. Malegaon
Dist. Nashik
6. Haidarali Asifali Sayyad
age 28 years, occ. Wood supplier
r/o Abbas Nagar, Galli No. 9

Malegaon, Tq. Malegaon
Dist. Nashik

Applicants

Versus

1. State of Maharashtra
through Jalgaon city Police Station Officer
Jalgaon city police station
Jalgaon, Dist. Jalgaon

2. Awaej Khan Farid Khan
age 25 years, occ. Education
r/o S.No. 419, Plot No. 11/12
Usmaniya Park, Shivajinagar
Jalgaon, Tq. & Dist. Jalgaon

Respondents

Mr. Shaikh Mazhar a. Jahagirdar, Advocate for applicants.

Mr. B.V. Virdhe, APP for respondent No. 1.

Mr. S.D. Tawshikar, Advocate for respondent No.2.

**CORAM : T.V. Nalawade &
M.G. Sewlikar, JJ.**

DATE : 14th January, 2021.

ORAL JUDGMENT : (Per T.V. Nalawade, J.)

1. Rule. Rule made returnable forthwith.

2. By consent, heard both the sides for final disposal at admission stage.

3. This proceeding is filed for relief of quashing of C.R. No. I-

130/2019 registered with Jalgaon City Police Station, Jalgaon for offence punishable under sections 363, 324, 343, 504, 506 read with section 34 of the Indian Penal Code. Crime is registered on the basis of report given by respondent No. 2.

4. This Court has carefully gone through the contents of the First Information Report. Affidavit of respondent No. 2 is filed in the matter and it was submitted by learned counsel for the applicants and informant that the parties are close relatives of each other and they have settled the dispute. This submission is mentioned in the affidavit of respondent No. 2 also. The informant has given no objection to grant the relief claimed. As informant himself was kidnapped and his age is 25 years, this Court holds that relief needs to be granted. Hence the following order :-

ORDER

1. Application is allowed.
2. Relief is granted in terms of prayer clause 'B'.
3. Rule made absolute in those terms.

(M. G. SEWLIKAR)
Judge

(T.V. NALAWADE)
Judge