

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.1144 OF 2021

Mohammad Irshadulla s/o Mohammad Kifayatulla and others Vs. State of
Maharashtra, through Police Station, Balapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri N.R. Tekade, Advocate for applicants.
Shri M.J. Khan, APP for respondent no.1/State.

CORAM : M.S. SONAK & PUSHPA V. GANEDIWALA, JJ.
DATE : 17th NOVEMBER, 2021.

Leave is granted to amend the prayer clause.
Amendment be carried out forthwith.

2. Heard Shri N.R. Tekade, learned counsel for the applicants and Shri M.J. Khan, learned Additional Public Prosecutor for the non-applicant/State.

3. This is a joint application taken up by the accused persons as well as complainant to seek quashing of F.I.R. No.0514 of 2021 dated 11.09.2021 registered with Police Station, Balapur District Akola.

4. The F.I.R. had alleged that applicant nos.1 to 6 had committed offence under Section 498A of the Indian Penal Code. Today, applicant no.1-Mohammad Irshadulla and applicant no.7 – Adeeba Anam are present before us. We have interviewed them and they have stated that they have settled their dispute between themselves and have agreed to live apart. Shri Mohammad Irshadulla stated that

he has paid an amount of Rs.5,00,000/- (Rs.five lakh only) to Adeeba, which is confirmed by applicant no.7-Adeeba, who is present before us today. In addition, today, Shri Mohammad Irshadulla handed over a cheque of Rs.50,000/-, which is received by Adeeba.

5. Adeeba, states that she no longer wish to pursue the matter and has no objection if the F.I.R. is quashed. Having regard to the law laid down by the Hon'ble Apex Court in the case of **B.S. Joshi Vs. State of Haryana and another** reported in **(2003) 4 SCC 675**, we see any difficulty in accepting the joint request made by the parties.

6. Accordingly, we quash and set aside the F.I.R. No.0514/2021 dated 11.09.2021 registered with Police Station, Balapur District Akola.

7. Applicant no.1-Shri Mohammad Irshadulla, who is present before us, has stated that there will be no difficulty in cheque which he has handed over today being honored.

8. His statement is accepted.

9. The application stands disposed in aforesaid terms.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)