

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CRIMINAL WRIT PETITION NO.342 OF 2022

WASIM S/O GAFFAR KHAN PATHAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

.....
Advocate for Petitioners : Mr. Ameya N. Sabnis
APP for Respondent-State: Mr. K.S. Patil
Advocate for respondent No.2: Mr. Abed M. Pathan
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**CORAM : SARANG V. KOTWAL AND
BHARAT P. DESHPANDE, JJ.
DATED : 30th JUNE 2022**

PER COURT:-

1. This writ petition is filed for quashing of the F.I.R. registered vide C.R. No. 30 of 2022 at Deopur Police Station, District Dhule on 4.2.2022 for the offence under Sections 498-A, 323, 504, 506 r.w. 34 of I.P.C.. The applicants are husband, mother-in-law, father-in-law, brother-in-law, sister-in-law and other relatives of the informant. It is not necessary to go into the details. Suffice it to say that the F.I.R. mentions that the informant got married with applicant No.1 on 25.5.2010 and there were certain acts which amounted to commission of offence under Section 498-A and other offences of I.P.C. We are not reproducing the entire F.I.R. here in view of the settlement between the parties, particularly when the husband and wife i.e. the applicant No.1 and the informant are at present residing together. Therefore, it is not necessary to add to the troubles which they have faced in the past.

2. The first informant has filed an affidavit before this Court. In para 2 of the affidavit, she has stated that the reason for lodging of F.I.R. was matrimonial discord. The parties have mutually decided to put an end to the litigation and the informant has resumed cohabitation with applicant No.1. The respondent has no objection for quashing of F.I.R. and all proceedings are being withdrawn by way of compromise for the future of informant's family and peaceful matrimonial life.

3. Thus, considering this submission and also based on the ratio laid by the Hon'ble Supreme Court in the case of ***Gian Singh vs. State of Punjab and others***, reported in ***(2012) 10 SCC 303***, we are inclined to allow this application and quash the F.I.R.. Hence, the following order:-

O R D E R

- I. Criminal application is allowed in terms of prayer clause "A" and disposed of.
- II. The offence registered vide C.R. No. 30 of 2022 at Deopur Police Station, District Dhule on 4.2.2022 for the offence under Sections 498-A, 323, 504, 506 r.w. 34 of I.P.C. is quashed and set aside.

(BHARAT P. DESHPANDE, J.)

(SARANG V. KOTWAL, J.)