

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

CRIMINAL APPLICATION NO. 1245 OF 2022

Nitichand Baburao Shirsat	... Applicant
Versus	
The State of Maharashtra and another	... Respondents

....

Mr. Sumedh S. Bhingardeo, Advocate for applicant
Mr. R. B. Bagul, APP for respondent No.1
Mr. A. S. Gaikwad, Advocate for respondent No.2

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CORAM : R. G. AVACHAT, J.

DATED : 27th APRIL, 2022

PER COURT :-

. Heard.

2. The challenge in this application is to the order of conviction and resultant sentence passed against the applicant herein for the offence punishable under Sections 498-A, 323, 504 of the Indian Penal Code. He, therefore, preferred appeal against conviction before the learned Additional Sessions Judge. The informant/respondent No.2 has appeared and filed affidavit, stating to have compromised the matter out of the Court and she urged for allowing the appeal. The learned Additional Sessions Judge was

pleased to reject the application. Hence, the present application has been moved.

3. Both, the applicant – convict and the respondent – informant, are present before this Court. The informant states to have settled the matter and she doesn't want to see her husband behind the bars.

4. Since it is a family dispute and settlements are to be encouraged in such a matter, this Court inclined to allow the present application in terms of prayer clause (B), although the learned APP has strongly objected thereto.

[R. G. AVACHAT, J.]

SMS