

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

CRIMINAL APPLICATION NO. 1271 OF 2019

1. Pawan s/o. Dayanand Choudhari
2. Dayanand Shivnarayan Choudhari
3. Sabakaur w/o. Dayanand Choudhari
4. Rajbala w/o. Sanjay Sayorayam. .. Applicants

Versus

1. The State of Maharashtra
and another. ..Respondents.

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Mr.Swapnil S. Patil, Advocate for the applicants.
Mr.M.M.Nerlikar, APP for the respondent-State
Mr.R.F.Totala, Advocate for respondent no.2.

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**CORAM : C.V. BHADANG &
S.G.DIGE, JJ.**

DATE : 6 JUNE 2022

P.C. :

This application is taken up for final disposal by
the consent of parties.

2. By this application under Section 482 of the Criminal Procedure Code, the applicants are seeking quashing of FIR No.331/2018, dated 29.11.2018, registered with Police Station Pundliknagar, Aurangabad, for the offences punishable under Section 498-A, 328, 354, 323, 504, 506 r/w.34 of the Indian Penal Code and the charge sheet filed in pursuance of the same.

3. The applicant no.1 is the husband and applicant nos.2 to 4 are the in-laws of the second respondent.

4. We have heard the learned counsel for the parties. Perused record.

5. It is submitted by the learned counsel for the parties that the parties have amicably settled the dispute and arrived at a settlement. Accordingly, a settlement deed is signed on 28.02.2022 along with supplementary deed

dated 13.04.2022. The copy of the settlement deeds are produced on record. The parties are present before this Court and they admit the correctness of the contents thereof.

6. It transpires that the parties had jointly filed a petition before the Family Court at Jaipur (Rajasthan) for dissolution of marriage by consent.

7. The learned counsel for the parties submit that as the matrimonial dispute has been settled by the parties amicably, the FIR and consequent charge sheet be quashed.

8. The Supreme Court in **Jitendra Raghuvanshi and others Vs. Babita Raghuvanshi and another, (2013) 4 SCC 58** has held that the inherent powers of the High Court under Section 482 of the Code are wide and unfettered and it is the duty of the Courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase.

9. In that view of the matter, the application is allowed in terms of prayer clauses-B and B-A. In the circumstance, there shall be no order as to costs.

S.G.DIGE, J.

C.V. BHADANG, J.

DDC