

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

CRIMINAL APPLICATION NO.1874 OF 2019

UDAYBHAN ABHIMAN PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Bhamre Manish V
APP for Respondents: Mr. S J Salgare
Advocate for respondent no.2 : Mr. N L Choudhary

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CORAM: SARANG V. KOTWAL & BHARAT P. DESHPANDE, JJ.

Dated: June 29, 2022

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PER COURT :-

1. This application was preferred on the merits of the matter, however, during pendency of this application, parties have arrived at settlement and, therefore, leave is granted to the learned counsel for the applicants to add the grounds of quashing by settlement. The amendment shall be carried out, forthwith.

2. Learned counsel for the applicants state that, during pendency of this application, applicant no.2 has expired and application survives only for applicant nos.1 and 3. Applicant no.1 is husband of informant and applicant no.3 is father-in-law of the informant.

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3. We have heard the parties. Respondent no.2 has filed an affidavit-in-reply. It is taken on record.

4. In view of the settlement, it is not necessary to describe the allegations in detail. Suffice it to say that, the allegations are in respect of the offence punishable under sections 498-A, 354, 341, 406, 323, 504, 506, rw 34 of the Indian Penal Code. The allegations are about the incident which had occurred within four walls of the house and dispute is between the parties. Therefore, in view of the ratio of the Hon'ble Supreme Court mentioned in the judgment of **Gian Singh Vs. State of Punjab as reported in (2012) 10 SCC 303**, proceeding can be quashed.

5. The affidavit of the respondent no.2/first informant mentions that, because of the intervention of the elders, they have decided to settle the matter. Since last about 3-4 months, the Applicant no.1 and Respondent no.2 were residing together and they have decided to live together henceforth. Looking at the

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future of the couple, we are inclined to allow this application. Hence, following order.

ORDER

- i. The application is allowed.
- ii. Proceedings pending vide RCC No.4 of 2021 before the Judicial Magistrate First Class, Sindkheda, District Dhule are quashed and set aside.
- iii. Application is disposed off.

(BHARAT P. DESHPANDE, J.) (SARANG V. KOTWAL, J.)

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