

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

**922 CRIMINAL APPLICATION NO.2003 OF 2020
WITH APPLN/1934/2021 IN APPLN/2003/2020**

**SACHIN THOMAS ZALTE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

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Mr. Adinath B. Jagtap, Advocate for applicants
Mr. R. V. Dasalkar, APP for respondents
Ms Rutuja L. Jakhade, Advocate (appointed) for respondent no. 2

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**CORAM : SMT. VIBHA KANKANWADI
AND
RAJESH S. PATIL, JJ.
DATE : AUGUST 03, 2022**

PER COURT : -

CRIMINAL APPLICATION NO. 1934 OF 2021 : -

1. Application for amendment stands allowed and disposed of. Amendment to be carried out immediately.

CRIMINAL APPLICATION NO. 2003 OF 2020 : -

2. Learned advocate appearing for applicants has placed on record copy of the order passed in F.A. No. 3947/2019 and it is marked as Exh-‘A’.

3. It appears that during the pendency of the First Appeal, which was between the applicant no. 1 and present respondent no. 2, was referred for mediation and it was
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successfully mediated. By the said order passed by this Court in the said appeal on 27.07.2022, the judgment and order passed in the Marriage Petition No. 3/2017 quashed and set aside and the marriage between the appellant and the respondent stood dissolved from the date of the order. It appears that, in terms of the settlement which have been got read and recorded in the said first appeal, the respondent no. 2 agreed for quashing of the FIR in C.R. No. 36/2020, which is the subject matter of this application. Thus, in view of the settlement between the parties and the fact that now their marriage stood dissolved, they want to lead a better life by parting apart happily. It would be the fit case where we should exercise inherent powers under Section 482 of the Code of Criminal Procedure. It would be then futile exercise to ask the applicants to face the trial when the matter is compromised.

4. Under such circumstances, the application stands allowed and disposed of in terms of prayer clause 'B' and 'B-1' of the application.

5. Pending civil application, if any, stands disposed of.

6. Fees of learned Advocate appointed for respondent No.2 is quantified at Rs.5000/-, to be paid by the High Court Legal Services Authority, Sub Committee, Aurangabad.

[RAJESH S. PATIL]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE