

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2244 OF 2020
WITH APPLN/570/2022 IN APPLN/2244/2020

PRAMOD BHARAT PARDESHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Sonawane Sunita G

APP for Respondents/ State : Mr. K. S. Patil

Advocate for Respondent No.2 : Mr. K.C. Sonone h/f Mr. B. G. Lathe

...

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

DATE : 16th JUNE 2022.

Per Court :

1. This is an application for quashing of FIR lodged vide Crime No. 479/2020 registered at MIDC Waluj Police Station, Tq. Gangapur, Dist. Aurangabad for the offence punishable under Sections 498A, 323,504,506 read with 34 of the Indian Penal Code.

2. We have heard the learned Advocate for the parties. Both the learned Counsel submitted that the matter is settled and they have invited our attention to the 'Reply Affidavit' produced on record. The

affidavit is affirmed on 18.01.2022 before a notary. The learned Counsel appearing for Respondent No.2 identifies her in the Court. The Applicant No.1 and Respondent No.2 are present in the Court. Respondent No.2 stated in the Court that she has no objection if the proceedings, are quashed. Even in her affidavit she has stated in Paragraph No.3 that the disputes are amicably settled and she has decided to withdraw the proceedings. In Paragraph No.2, she has further stated thus, "I have no complaint against the Applicant". In view of this affidavit, the statement made before us, the FIR can be quashed. We also perused the FIR. It is not necessary to reproduce the contents of the FIR. The FIR shows it is strictly a private dispute and therefore there is no impediment for quashing this FIR. Hence the following order.

ORDER

- (i). The Criminal Application is allowed.
- (ii). The FIR vide Crime No. 479/2020 registered at MIDC Waluj Police Station, Tq. Gangapur, Dist. Aurangabad is quashed and set aside.

(iii). Consequently, the proceedings in the trial pending vide R.C.C. No. 46/2021 before the Judicial Magistrate First Class, Gangapur, is also quashed and set aside.

(iv). The criminal application is disposed of.

[BHARAT P. DESHPANDE, J.]

[SARANG V. KOTWAL, J.]

Najeeb...