

IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

67 CRIMINAL WRIT PETITION NO. 1178 OF 2021

1. Sanjeev s/o Biranchi Gope
 2. Biranchi s/o Krupasingh Gope
 3. Swarnlata w/o Biranchi Gope
 4. Puja d/o Biranchi Gope
- ... Petitioners

Versus

1. State of Maharashtra
 2. The Police Inspector,
Ramanand Police Station, Jalgaon
 3. Abhira w/o Sanjeev Gope
- ... Respondents

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Advocate for Petitioners : Mr. S. B. Khan S. B. and
Mr. U. P. Raghuwanshi

APP for Respondent-State : Mr. A. V. Deshmukh

Advocate for Respondent No.2 : Mr. M. B. W. Khan

Advocate for Respondent No.3 : Mr. Mr. A. M. Siddiqui

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CORAM : SARANG V. KOTWAL

BHARAT P. DESHPANDE, JJ.

DATED : 04 JULY 2022

PER COURT:-

1. This is an application for quashing of the FIR registered vide C.R. No. 149/2021 at Ramanand Police Station, District Jalgaon under Sections 498A, 323, 504, 506, 507 r/w 34 of IPC. The FIR was lodged

by respondent no.2 herein. The FIR contains different instances and reasons for which it was lodged. It is not necessary to reproduce the contents of the FIR. Suffice it to say that this is an offence punishable under Sections 498-A, 323, 504, 506, 507 r/w 34 of IPC. In view of the settlement arrived at between the parties, we are avoiding to refer to those allegations.

2. Applicant no.1 and respondent no.3-first informant are present in the Court. They are identified by their respective counsel. Respondent no.3 has also produced a copy of her Aadhaar Card. On verification of the original Aadhaar Card, it is taken on record. It is mentioned in her affidavit-in-reply that though she had filed this complaint, she does not have objection for quashing of the FIR. She has further stated that the present petitioners and respondent no.3 have arrived to the stage of compromise and have settled the matter out of the Court. A petition under Section 13B of the Hindu Marriage Act has been filed for divorce by mutual consent and details of the conditions for settlement are mentioned in the said application. She has reiterated that she has no objection for quashing of the FIR registered vide C.R. No. 149/2021 at Ramanand Police Station, District Jalgaon.

3. In view of this settlement and on the basis of the observations made by the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab and others***, reported in ***(2012) 10 SCC 303***, the application can be allowed and the proceedings can be quashed. Hence the following order:

ORDER

- I. The application is allowed in terms of prayer clause (A).
- II. The FIR registered vide C.R. No. 149/2021 at Ramanand Police Station, District Jalgaon is quashed and set aside.
- III. The application is disposed off.

BHARAT P. DESHPANDE, J.

SARANG V. KOTWAL, J.