

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CRIMINAL APPLICATION NO. 434 OF 2023

NAVED S/O ALTAF SHAIKH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Imran Khan Guftar Khan Durrani
Addl.PP for Respondent No.1-State : Mrs. M. A. Deshpande
Advocate for Respondent No.2 : Mr. V. C. Patil Ashtekar

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**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATED : 27 APRIL 2023

PER COURT :-

1. Learned Advocate Mr. V. C. Patil Ashtekar submits that he has instructions to appear on behalf of respondent no.2 and submits that he would file *vakalatnama* during the course of the day.
2. Learned Advocate for the applicants is also present.
3. The applicant no.1 and respondent no.2 tender across the bar a compromise pursis duly signed by them and their Advocates and sworn in before the Section Officer of this court, *inter alia* mentioning about both of them having resumed cohabitation and having decided to settle all the disputes. Respondent no.2 has also given express consent for quashing of the crime.

4. We have heard both sides and the learned APP.

5. Since the offence was registered as a sequel to a matrimonial discord which now stands patched up by way of resumption of cohabitation, the settlement cannot be said to be against public policy.

6. The application is allowed.

7. FIR No. 543 of 2021 registered with Kotwali Police Station, Ahmednagar for the offences punishable under sections 498-A, 323, 504, 506 r/w 34 of IPC and the criminal case arising out of it bearing R.C.C. No. 1302 of 2021 pending on the file of Additional Chief Judicial Magistrate, Ahmednagar are quashed and set aside.

[ABHAY S. WAGHWASE, J.]

[MANGESH S. PATIL, J.]

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