

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

CRIMINAL APPLICATION NO. 458 OF 2022

Ganesh Ramesh Jagarwal and Others

..APPLICANTS

VERSUS

State of Maharashtra and Another

..RESPONDENTS

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Mr. R.V. Gore, Advocate for applicants

Mr. R.V. Dasalkar, A.P.P. for respondent no.1 - State

Ms. P.P. Wangikar, Advocate for respondent no.2

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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ
DATE : 19th JUNE, 2023**

PER COURT :

1. Heard.

2. This application has been moved for quashment of First Information Report, being Crime No. 152 of 2018 registered with Chikalthana Police Station, Dist. Aurangabad for the offences punishable under Sections 498-A, 323 and 504 read with Section 34 of the Indian Penal Code and consequential charge-sheet filed in Regular Criminal Case No. 1135 of 2018 pending on the file of Judicial Magistrate First Class, Aurangabad.

3. The application has been moved mainly on the ground of Respondent No.2 - wife has consented for amicable settlement of all the

disputes including the present crime. A copy of the decree of divorce passed under Section 13-B of the Indian Marriage Act, 1955 has been placed on record. Paragraph No.3 of the judgment in H.M.P. No. 227 of 2021 suggest that Applicant No.1 - husband and Respondent No.2 jointly moved petition and agreed to settle all the disputes amicably. Pursuant to the settlement, the decree of dissolution of marriage has been passed.

4. In view of above, no useful purpose would be served by allowing the prosecution to proceed against the applicants. In the result, application is allowed in terms of prayer clause [B].

SSD (SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)