

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

CRIMINAL APPLICATION NO.677 OF 2021

**DEEPAK SINGH HARIENDRA NATH SINGH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

. . .

Advocate for Applicants : Mr. Satyajit S. Bora
APP for Respondent - State : Mr. M. M. Nerlikar
Advocate for Respondent No.2 : Mr. S. R. Patil

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

DATED : 25 APRIL 2023

PER COURT :

- . Heard both sides and perused the papers.
2. The petitioners are seeking quashment of the Crime No. 1183 of 2020 registered with MIDC Police Station, Jalgaon for the offences punishable under sections 498-A, 406, 323 and 504 of Indian Penal Code on a F.I.R. lodged by respondent no.2 who happens to be wife of applicant no.1 and the subsequent Regular Criminal Case No. 117 of 2022 pending on the file of learned Judicial Magistrate First Class, Jalgaon.
3. Learned advocate for respondent no.2 tenders across the bar her affidavit-in-reply. It is taken on record.

4. Both sides, i.e. applicants on the one hand and respondent no.2 on the other hand are unanimous that the genesis of registration of crime is the matrimonial discord. They have decided to amicably settle the dispute. The terms of settlement have been arrived at and filed before the Family Court and the respondent no.2 does not have any objection for quashment of the crime and criminal case.

5. Mr. Bora, learned advocate for the applicants submits that applicant no.3 is no more.

6. Parties also jointly request to transmit the amount of Rs.17,00,000/- together with interest, if any, deposited in this court pursuant to an order passed in Anticipatory Bail Application No.1234 of 2020, to the Family Court Jalgaon for disposal in accordance with the terms of settlement.

7. The proposed compromise cannot be said to be against the public policy or is with some ulterior motive.

8. The application is allowed.

9. Crime bearing No.1183 of 2020 and Regular Criminal Case No. 117 of 2022 pending on the file of learned Judicial Magistrate First Class, Jalgaon is quashed and set aside.

10. The amount of Rs.17,00,000/- together with interest, if any accrued thereon which stands deposited in this court pursuant to the order passed in Anticipatory Bail Application No.1234 of 2020 shall be immediately transmitted to the Family Court Jalgaon for disposal in accordance with terms of settlement.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)

Tandale/-