

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 CRIMINAL APPLICATION NO. 1006 OF 2023

NITESH S/O SUBHASRAO REKALWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Chaitanya Chandrakant Deshpande
APP for Respondent No.1-State : Mrs. M. A. Deshpande
Advocate for Respondent No.2 : Mr. Sohail Subhedar

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

DATED : 27 MARCH 2023

PER COURT :-

1. The applicant no.1 and the respondent no.2 are stated to have reached an amicable settlement *inter alia* agreeing for quashment of the crime and the criminal case, i.e. crime no. 26 of 2020 registered with Purna Police Station for the offence punishable under Sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code being R.C.C. No 203 of 2020 pending on the file of learned Judicial Magistrate First Class, Purna.

2. Learned Advocate Mr. Subhedar submits that he has instructions to appear on behalf of respondent no.2. On instructions, he submits that indeed the couple has reached a settlement which is

filed along with the application as Exhibit “B”, pursuant to which even she has been paid the money as acknowledged in the receipt (page 17).

3. The offence was registered pursuant to a matrimonial dispute.
4. The couple has sorted out the differences in the terms settled between them at Exhibit “B”. They have agreed *inter alia* for quashment of the crime.
5. No public policy is involved and apparently there is nothing to suggest that the settlement is with some ulterior motive.
6. We allow the application and quash and set aside FIR No. 26 of 2020 registered with Purna Police Station, District Parbhani for the offences punishable under Sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code, subsequently registered as R.C.C. No. 203 of 2020 pending on the file of learned Judicial Magistrate First Class, Purna.

[ABHAY S. WAGHWASE, J.]

[MANGESH S. PATIL, J.]