

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

966 CRIMINAL WRIT PETITION NO.405 OF 2023

**MUDASSER RAFIK SAYYED AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Petitioners : Mr. Md Asif Iqbal Siddiqui M.T.

APP for Respondent No. 1 : Mr. G.O. Wattamwar

Advocate for Respondent No. 2 : Mr. Pankaj A.Bharat

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

DATE : 28.04.2023

PER COURT :

Heard the learned advocates for the petitioners and the respondent No. 2 as also the learned A.P.P.

2. The petitioners are seeking quashment of Regular Criminal Case No. 2552/2019 pending on the file of the Judicial Magistrate First Class Aurangabad for the offences punishable under Sections 498A, 494, 323, 504, 506 read with Section 34 of the Indian Penal Code arising out of Crime No. 169/2019, registered with Begumpura Police Station, Aurangabad District Aurangabad on an F.I.R. lodged by respondent No. 2 who happens to be the wife of the petitioner No. 1. Rest of the petitioners are his relatives.

3. The parties are unanimous that they have amicably settled the dispute. They have filed terms of compromise in the Family Court at Aurangabad inter alia agreeing for withdrawal of this criminal case.

4. Since the offence was registered pursuant to the matrimonial dispute and the couple having now decided to set it at rest, the compromise cannot be said to be against public policy.

5. The Criminal Writ Petition is allowed. Regular Criminal Case No. 2552/2019 pending on the file of the Judicial Magistrate First Class Aurangabad for the offences punishable under Sections 498A, 494, 323, 504, 506 read with Section 34 of the Indian Penal Code arising out of Crime No. 169/2019, registered with Begumpura Police Station, Aurangabad District Aurangabad is quashed and set aside.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)

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