

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

CRIMINAL APPLICATION NO. 1252 OF 2023

Rahul Yadavrao Bhamre
and others

.. Applicants

Versus

The State of Maharashtra and another

.. Respondents

Mr. Harshad H. Padalkar, Advocate for the Applicants.

Mr. Y. G. Gujarathi, APP for Respondent No. 1.

Mr. S. A. Kulkarni, Advocate for Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATED : 30th MARCH, 2023.

P. C. :-

- . Vakalatnama of learned advocate Mr. Kulkarni is taken on record.
2. Heard learned advocates for the parties.
3. The parties have already arrived at settlement which is filed at Exhibit-A. In view of the compromise, all the matters/complaints/cases are withdrawn. However, since the offence under Section 498-A of the Indian Penal Code (for short "I.P.C.") is not compoundable, the same could not be compounded and that is pending before the Court of learned J.M.F.C., Sindkheda bearing R.C.C. No. 143/2020.

4. Learned A.P.P. submits that, since the offence under Section 498-A of the I.P.C. is not compoundable, the same could not be compounded and prays for passing appropriate orders.
5. Today, applicant No. 1 and respondent No. 2 are personally present.
6. This Court finds that, though offence under Section 498-A of the I.P.C. is not compoundable, however, looking to the facts of compromise and in view of the judgment of the Hon'ble Apex Court in the case of **B. S. Joshi and others Vs. State of Haryana and another** reported in **(2003) 4 SCC 675**, this Court finds that, a case is made out to quash the proceeding of R.C.C. No. 143/2020.
7. The criminal application is allowed in terms of prayer clause (B).
8. The criminal application is disposed off.

(KISHORE C. SANT, J.)

PS.B.