

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

CRIMINAL WRIT PETITION NO.695 OF 2023

**KISHOR S/O PUNJA BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

. . .

Advocate for Petitioner : Mr. Satyajeet S. Dixit
APP for Respondent No.1– State : Mr.V.S.Badakhk
Advocate for Respondent No.2 : Mr.Vijay Deshmukh

. . .

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

DATED : 04 MAY 2023

PER COURT :

- . Heard both sides.
2. The petitioner is seeking quashment of crime No.I-62 of 2016 registered with Ashwi Police Station, Taluka Sangamner, District Ahmednagar for the offences punishable under sections 354, 294 and 506 of the Indian Penal Code and criminal case bearing R.C.C. No. 293 of 2017 pending on the file of learned Additional Chief Judicial Magistrate First Class, Sangamner.
3. Issue notice to the respondents. Learned APP waives service on behalf of respondent no.1 and seeks time.

4. Mr.Vijay Deshmukh, learned advocate submits that he has instructions to appear on behalf of respondent no.2 and waives service. He filed on record Vakalatnama and affidavit-in-reply of respondent No.2.

5. The learned advocate for petitioner submits that the petitioner and respondent no.2 are personally present.

6. Respondent no.2 has expressly consented for quashment of the crime stating that it is a counter case and similar crime registered against her husband at the instance of wife of the petitioner has also been decided to be similarly compromised.

7. The parties also tender across the bar a photocopy of the affidavit sworn by the wife of the petitioner confirming the above state of affairs wherein she is also consenting for quashment of the crime registered at her instance against husband of the respondent No.2.

8. Considering the fact that both sides have decided to amicably settle the dispute and enter into an amicable settlement in the form stated herein-above, it cannot be said that the composition is against public policy or for some ulterior motive.

9. The petition is allowed. The Crime bearing No.I-62 of 2016 registered with Ashwi Police Station, Ta.Sangamner, Dist.Ahmednagar for the offence punishable under Sections 354, 294 and 506 of the Indian Penal Code and criminal case bearing R.C.C.No.293 of 2017 pending on the file of learned Additional Chief Judicial Magistrate, Sangamner, are quashed and set aside.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)

Tandale/-