

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

**CRIMINAL APPLICATION NO. 2737 OF 2021
WITH
CRIMINAL APPLICATION NO. 3322 OF 2022**

Sanjay Ramrao Rathod and Others ..APPLICANTS

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. U.B. Bilolikar, Advocate for applicants

Mr. S.D. Ghayal, A.P.P. for respondent no.1 – State

Mr. A.V. Lavte, Advocate for respondent no.2

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**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.**

DATE : 09th JANUARY, 2023

PER COURT :

1. Learned counsel for the applicants seeks leave to amend the prayer clause as to substitute 'District Nanded' with 'District Latur'. Learned counsel further states that during pendency of the application, charge-sheet has been filed. He also seeks leave to amend the application as well as place on record copy of the charge-sheet.

2. Leave granted. Amendment to be carried out forthwith.

3. Learned counsel for the applicant and Respondent No.2 states that the parties have settled the dispute amicably. They have placed on record an

application filed before the Family Court. They have also placed on record consent terms which are signed by all the parties and their respective counsel.

4. Respondent No.2 is present before this Court. She confirms the contents of the consent terms which are placed on record. She states that both the parties have arrived at an amicable settlement and she has no objection for quashing the F.I.R. and the criminal proceedings filed against the applicants.

5. We are satisfied that the parties have settled the dispute amicably without any pressure and that the settlement is genuine. In view of the decisions of the Apex Court *B.S. Joshi Vs. State of Haryana, AIR 2003 SC 13861* and *Jitendra Raghuvanshi and Others Vs. Babita Raghuvanshi and Another, (2013) 4 SCC 58*, this is a fit case to exercise power under Section 482 of the Code of Criminal Procedure to quash the F.I.R. and criminal proceedings.

6. Hence, Criminal Application No. 2737 of 2021 is allowed in terms of prayer clauses (B) and (B1). Consequently, the F.I.R. bearing C.R. No. 124 of 2021 registered with Udgir (Rural) Police Station, Dist. Latur and consequent criminal proceeding i.e. R.C.C. No. 287 of 2021 pending on the file of Judicial Magistrate First Class, Udgir are hereby quashed. Criminal

Application No. 3322 of 2022 stands disposed of in view of disposal of the main application. It is made clear that in the event the parties do not settle the dispute finally pending before the Family Court, this order shall be recalled without further appearance to this Court.

(R.M. JOSHI, J.)
SSD

(SMT. ANUJA PRABHUDESSAI, J.)