

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1798 OF 2022
WITH APPLN/3959/2022 IN APPLN/1798/2022

ABDUL KADIR ABDUL GAFFAR BAGWAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Ms. A. A. Lomte h/f Mr. S. J. Salunke, Advocate for the Applicants.

Ms. V. N. Patil-Jadhav, APP, for the Respondent – State.

Mr. R. D. Thorat, Advocate for the Respondent No. 2.

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CORAM : SMT. ANUJA PRABHUDESSAI &
R.M. JOSHI, JJ

DATE : FEBRUARY 27, 2023

PER COURT :

1. Learned Counsel for the Applicants and Respondent No. 2 have stated that the matter has been amicably settled. The Respondent No.2 has filed her affidavit stating that she has no objection to quash the FIR No. 508/2021 registered with Police Station Kadim Jalna and R.C.C. No. 1407/2021 pending on the file of learned JMFC, Jalna for the offences punishable under Sections 498-A, 323, 504, 507, 34 of IPC and Section 3 and 4 of the Dowry Prohibition Act, 1961.

2. The Respondent No. 2 is present before the Court. She confirms the contents of the affidavit-in-

reply. She has further stated that they have obtained "Khula" and that she has received Rs. 1,50,000/- towards permanent alimony.

3. The consent terms, which in our considered view are genuine and voluntary. In the light of the settlement and the principles laid down by the Apex Court in the case of B. S. Joshi vs. State of Haryana reported [AIR 2003 SC 1386], this is a fit case to exercise powers under Section 482 Cr.P.C. to secure the ends of justice.

4. Hence, the Application is allowed in terms of prayer clause 'C, D & E'. As a consequent thereof, FIR No. 508/2021 registered with Police Station Kadim Jalna and R.C.C. No. 1407/2021 pending on the file of learned JMFC, Jalna for the offences punishable under Sections 498-A, 323, 504, 507, 34 of IPC and Section 3 and 4 of the Dowry Prohibition Act, 1961 are hereby quashed.

5. In view of disposal of the Criminal Application No. 1798 of 2022, nothing survives in the pending criminal application(s), if any. Accordingly, pending criminal applications stand disposed of.

6. Fees of the appointed Advocate is quantified @ Rs. 6,000/- to be paid by High Court Legal Services Sub-Committee, Aurangabad.

(R.M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J)