

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

CRIMINAL APPLICATION NO.4154 OF 2023

Bappa Atmaram Kedar & ors. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. S.R. Kedar, Advocate for applicants
Mrs. V.N. Patil Jadhav, A.P.P. for State
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATE : 10th NOVEMBER, 2023

ORDER :

Heard. Issue notice to respondents returnable forthwith. Learned A.P.P. waives service for the State.

2. The applicants before us are the husband and in-laws of respondent No.2 wife. The applicants have been convicted for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code and, therefore, sentenced to suffer imprisonment for 2 months and pay some amount towards fine, with default stipulation. The applicants preferred appeal against the

conviction. The same is pending before the learned Additional Sessions Judge, Ambajogai.

3. Post conviction, the parties have arrived at a settlement. The husband and respondent No.2 – wife have now been reunited. Since 2015 both of them have again been residing together. The offence dates back to the year 2011. Since this is a matrimonial matter and the parties have reunited, the application is allowed in terms of the following order.

4. The order of conviction and sentence dated 5/8/2015, passed by learned Judicial Magistrate, First Class, Kaij, District Beed in R.C.C. No.174/2012 is hereby set aside. The applicants are acquitted of the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code. Fine amount, if paid, be refunded to them. The appeal bearing No.59/2015, pending in the Court of learned Additional Sessions Judge, Ambajogai stands disposed of.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

fmp/-