



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CRIMINAL WRIT PETITION NO. 365 OF 2023

Sonali Shrikant Jadhav & Ors.

VERSUS

The State Of Maharashtra & Anr.

...

Mr. Shailendra S. Gangakhedkar - Advocate for the Petitioners

Mrs. A. S. Deshmukh -APP for Respondent/State

Mr. Balraj Pande – Advocate for respondent no. 2

...

AND

CRIMINAL APPLICATION NO. 1438 OF 2023

Aditya s/o Kamalkant Pandey & Anr.

VERSUS

The State Of Maharashtra & Anr.

...

Mr. Balraj Pande – Advocate for the Applicants

Mrs. A. S. Deshmukh -APP for Respondent/State

Mr. Shailendra S. Gangakhedkar - Advocate for respondent no. 2

...

AND

CRIMINAL APPLICATION NO. 1538 OF 2023

Prasad s/o Satish Takalkar

Versus

The State of Maharashtra & Anr.

.....

Mrs. Priya S. Gondhalekar – Advocate for the Applicant

Mrs. A. S. Deshmukh – APP for Respondent/State

Mr. Balraj Pande – Advocate for respondent no. 2

.....

CORAM : R. G. AVACHAT

AND

NEERAJ P. DHOTE, JJ.

DATED : 12TH JULY, 2024

PER COURT : -

1. The wife of applicant no. 1 in Criminal Application No.1438 of 2023 filed First Information Report bearing No. 0524/2022 dated 17.12.2022 with Pundlik Nagar Police Station, Aurangabad City, for the offence punishable under Sections 420, 406, 465, 468, 471, 474, 506 r/w 34 of the Indian Penal Code against the Petitioners in Criminal Writ Petition No. 365 of 2023. Whereas; Petitioner No. 1 in Criminal Writ Petition No. 365 of 2023 filed FIR bearing No. 0025 of 2023 with Vedant Nagar Police Station, Aurangabad, for the offence punishable under Sections 379, 406, 408, 120B r/w 34 of the Indian Penal Code, against the Applicants in Criminal Application No. 1438 of 2023.

2. Learned advocate for the Petitioners and the Applicants in the above matters submit that the said crimes were registered out of civil dispute. They submit that the parties have now arrived at an amicable settlement and decided to end all the litigation between them. The parties have filed on record the affidavits of the wife of Applicant No. 1 in Criminal Application No. 1438 of 2023, and that of Petitioner No. 1 in Criminal Writ Petition No. 365 of 2023 and copy of consent terms / terms of compromise deed executed between the parties, which are taken on record and marked as "X", "X-1" and "X-2" for the purpose of identification.

3. Learned APP opposed the application.
4. We have perused the affidavit and the consent terms.
5. In view of the above, considering the offences which arise out of the civil dispute, we deem it appropriate to exercise our powers under Section 482 of the Code of Criminal Procedure and pass the following order.

ORDER

- [i] Criminal Writ Petition No. 365 of 2023 is allowed in terms of prayer clause 'B' thereof, subject to payment of Rs.50,000/- [Rupees Fifty Thousand] to the High Court Bar Library, Aurangabad Bench, within a period of two (2) weeks.
- [ii] Criminal Application No. 1438 of 2023 is allowed in terms of prayer clause 'B' thereof, subject to payment of Rs.50,000/- [Rupees Fifty Thousand] to the High Court Legal-Aid Services, Sub-Committee, Aurangabad Bench, within a period of two (2) weeks..
- [iii] Matters be listed for compliance after two (2) weeks.
- [iv] It is submitted by the learned advocate for the Applicant in Criminal Application No. 1538 of 2023 that, the

charge-sheet has not been filed in this matter and, therefore, the application has become infructuous.

[v] In view of the above, Criminal Application No. 1538 of 2023 stands disposed of as infructuous.

[NEERAJ P DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde