



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CRIMINAL APPLICATION NO.2056 OF 2022

- 1 Amarnath Shivaji Kamble Deonikar,
Age 33 yrs., Occ. Service,
- 2 Nirmalabai Shivaji Kamble Deonikar,
Age 60 yrs., Occ. Household,
- 3 Shivaji Maroti Kamble Deonikar,
Age 62 yrs., Occ. Nil,
Applicant Nos.1 to 3 are r/o Deoni,
Tq. Deoni, Dist. Latur.
- 4 Shridevi Kailas Nanandkar,
Age 30 yrs., Occ. Household,
R/o Nilanga, Tq. Nilanga,
Dist. Latur.

... Applicants

... **Versus** ...

- 1 The State of Maharashtra
Through Police Station CIDCO,
Aurangabad.
- 2 Rekha Amarnath Deonikar,
Age 30 yrs., Occ. Household,
R/o 15/1 Pawan Nagar, N-9,
CIDCO, Aurangabad.

... Respondents

...

Mr. V.V. Bhavthankar, Advocate for applicants

Mr. S.S. Dande, APP for respondent No.1

Mr. K.P. Rodge, Advocate for respondent No.2

...

CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 03rd SEPTEMBER, 2024

ORDER :

1 Present application has been filed for quashing First Information Report vide Crime No.202/2022 dated 25.04.2022 registered with CIDCO Police Station Aurangabad and the charge sheet pending before learned Chief Judicial Magistrate, Aurangabad in Regular Criminal Case No.2113 of 2022, for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

2 Learned Advocates for applicants and respondent No.2 submit that in the Petition No.E-73/2023 pending before Family Court, Aurangabad there is compromise, which was arrived at before the Marriage Counsellor on 03.07.2024. They are producing copy of the settlement agreement. It appears that the same has been read and recorded by concerned Judge. In the said terms it is stated that the wife has no objection for quashing the proceedings under Section 498-A of the Indian Penal Code.

3 In view of the settlement, that is, arrived at and the parties are supposed to act upon in phased manner, there is no hurdle for this Court to exercise its powers. Hence, following order.

ORDER

1 Criminal Application stands allowed.

2 First Information Report vide Crime No.202/2022 dated 25.04.2022 registered with CIDCO Police Station, Aurangabad and proceedings in Regular Criminal Case No.2113/2022 pending before Chief Judicial Magistrate, Aurangabad, for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, stand quashed and set aside as against applicants.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)