



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

CRIMINAL APPLICATION NO.2351 OF 2024

Harshad Govind Jadhav & ors. ... **APPLICANTS**

VERSUS

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

.....
Mr. V.S. Palsikar, Advocate for applicants
Mr. V.K. Kotecha, A.P.P. for State
Mr. Suhail Subhedar, Advocate for informant
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 15th JULY, 2024

ORDER :

Heard. This is an application for quashment of F.I.R. bearing No.60/2021, registered with Pundlik Nagar Police Station, Aurangabad and the consequential Charge Sheet No.03/2022 for the offences punishable under Sections 498-A, 354, 323, 504, 506 read with Section 34 of the Indian Penal Code and the R.C.C. No.99/2022, pending before the learned Judicial Magistrate, First Class, Aurangabad.

2. Learned Advocate for the applicants submits that, the parties have amicably settled the matter and the applicant-husband and the respondent No.2- informant have got divorce through decree passed by the Family Court, Aurangabad.

3. Learned Advocate for respondent No.2, appearing suo moto, submits that the application can be allowed since the decree of divorce is passed on mutual petition filed by the applicant- husband and respondent No.2. He tenders across the bar affidavit of respondent No.2- informant. We have gone through the said affidavit.

4. Learned A.P.P. strongly opposes to allow the application.

5. The applicant and the respondent No.2 – informant are present before the Court. The contentions of the learned Advocate for the applicant and learned Advocate for respondent No.2 are supported by the affidavit. The parties are separated by way of divorce decree by mutual consent. The offence arises out of the marital discord. Considering the nature of offence and the above factual aspects, which are undisputed, we proceed to pass the following order :-

ORDER

(i) The Criminal Application is allowed in terms of prayer clause (B).

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

fmp/-