



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

CRIMINAL WRIT PETITION NO. 1015 OF 2023

**SAKHUBAI SHESHRAO NAGWGHARE AND ORS.
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Petitioners : Mr. Avinash M. Reddy h/f Mr. Waghmare
Sangharsh V.

APP for Respondents/State : Mr. G.A. Kulkarni

Advocate for Respondent No.2 : Mr. Gadegaonkar Bharat N.

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 29 JANUARY 2024

PER COURT :

. Leave granted to add the remaining accused in the array of the petitioners. Amendment to be carried out forthwith.

2. The petitioners are seeking quashment of the crime bearing FIR No.52/2021 dated 15.06.2021 registered at the instance of respondent no.2 for the offences punishable under Sections 498-A, 323, 504, 506, 494 read with 34 of the Indian Penal Code.

3. The learned Advocate for the petitioners and the respondent no.2 placed on record a joint compromise pursis. It is submitted that the husband and the wife i.e. respondent no.2 have entered into a

compromise and have filed a petition for divorce by mutual consent under Section 13-B of the Hindu Marriage Act. In terms of the settlement, she is having no objection quashing the crime and the criminal case as a part of the settlement.

4. Since the dispute is arising out of matrimonial discord, we see that no public policy involved. The compromise pursis is taken on record and marked 'X' for the purpose of identification.

5. The writ petition is allowed.

6. FIR No.52/2021 registered with Manatha Police Station, Dist. Nanded and Charge-Sheet No.66/2021 in Regular Criminal Case No. 210/2021 pending before the learned Judicial Magistrate, First Class, Hadagaon, Dist. Nanded are quashed and set aside.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]