



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3303 OF 2024

1. Avinash S/o Balaji Bhutevad,
Age : 30 years, Occ : Labour,
R/o : Paithan Road, Chitegaon,
Chh. Sambhajnagar (Aurangabad).
2. Shakuntalabai W/o Balaji Bhutevad
(Bhutapale)
Age : 54 years, Occu. Household,
R/o. Manase Chowk, Paithan Road,
Chitegaon Tq. Paithan,
Dist. Aurangabad

... Applicants.

Versus

1. State of Maharashtra
Through The Police Inspector,
Deoni Police Station,
Tq. Deoni, Dist. Latur.
2. Mrs. Laxmi W/o Avinash Bhutevad,
Age : 29 years. Occ. Household,
R/o. Borol, Deoni, Tq. Deoni,
Dist. Latur.

... Respondents.

...
Advocate for Applicants : Mr. Anil H. Dhupe
APP for Respondent No.1 - State : Mr. A. M. Phule
Advocate for Respondent No.2 : Mr. R. W. Bagul
...

**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

Dated : August 09, 2024

PER COURT :-

1. Learned Advocate for the applicants as well as respondent no.2, who is appearing *suo moto*, submits that, there is a compromise between the parties.

2. Learned Advocate for Respondent no.2 is filing affidavit-in-reply. Learned APP waives notice for respondent no.1. It appears that, their earlier Criminal Application No. 2005 of 2022 was dismissed as withdrawn by order dated 16.03.2023. However, it appears that, respondent no.2 wife has settled the dispute and started residing with applicant no.1 husband. They have two children. Under said circumstance, respondent no.2 reiterates that she is residing with the husband since 01.07.2024 and he is treating her properly. She has no objection if the FIR is quashed and set aside. In view of the statement, we take this case as a fit case where we can exercise our powers under section 482 of the Code of Criminal Procedure. Hence, following order :

ORDER

- I. The application stands allowed.
- II. The FIR vide C.R. No. 89 of 2022 dated 06.05.2022 registered with Deoni Police Station, Tq. Deoni, District Latur and the proceedings in R.C.C. No.48 of 2022 pending before the learned Judicial Magistrate First Class, Deoni for offence punishable under sections 323, 498-A, 504, 506 read with section 34 of Indian Penal Code, are hereby quashed and set aside.

(ABHAY S. WAGHWASE, J.)

(SMT. VIBHA KANKANWADI, J.)