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

CRIMINAL APPLICATION NO. 3573 OF 2024

KIRAN DEVIDAS DIKONDA AND OTHERS

....Applicant

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....Respondent

.....
Advocate for Applicant : Mr. Khedkar Avinash S.
APP for Respondents: Mr. G.A. Kulkarni.

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

DATE : 24 OCTOBER, 2024.

P.C. :-

1. Present application has been filed under Section 482 of Cr.PC for quashing the proceeding i.e. RCC No. 1191 of 2021 pending before the learned additional Chief Judicial Magistrate, Ahmednagar, arising out of FIR vide crime No. 6197 of 2020 registered with Kotwali Police station for the offences punishable under Sections 498-A, 354, 323, 504, 506, 34 of Indian Penal Code.
2. Issue notice to respondents.
3. Learned APP waives notice for respondent No.1.
4. Notice of respondent No.2 is waived by learned advocate,

who is appearing *suo motu* on instructions of respondent No.2.

5. Respondent No.2 has filed an affidavit, wherein, she has stated that since last 3 years, she has resumed co-habitation with husband i.e. applicant No.1. Their matrimonial life is now smoothly running and therefore, she has no objection for quashing the FIR and the proceedings.

6. Thus, taking into consideration the fact that the respondent No.2 has resumed cohabitation and 3 years have lapsed with no further dispute, this would be a fit case where we should exercise our inherent powers.

7. Application stands allowed. The proceeding of RCC No. 1191 of 2021 pending before the Additional Chief Judicial Magistrate, Ahmednagar arising out of Crime No. 6197 of 2020, for the offences punishable under Sections 498-A, 354, 323, 504, 506, 34 of Indian Penal Code., stands quashed and set aside as against the applicants.

8, Application is disposed of.

[S.G. CHAPALGAONKAR, J]

[SMT. VIBHA KANKANWADI, J]

grt/-