



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1068 CRIMINAL APPLICATION NO. 3162 OF 2023

VAIBHAV SUBHASH PATIL AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for applicants : Mr. Jagdish V. Deshpande and Mr. S.N. Dudhate
APP for the respondent – State : Mr. S.V. Hange
Advocate for respondent no. 2 : Ms. Anita D. Deshmukh
...

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

DATE : 30 JANUARY 2024

PC :

Heard learned advocate for the applicants and the learned
APP.

2. Ms. Deshmukh submits that she has instructions to appear on behalf of the respondent no. 2 – informant and tenders across the bar her affidavit in reply. It is taken on record.

3. As indicated in the affidavit in reply and as is being unanimously submitted by the learned advocates for the applicants and the respondent no. 2, the offence was registered pursuant to some matrimonial discord. Subsequently, the couple has obtained a decree of divorce by mutual consent and she is now expressly giving consent to quash the crime, pursuant to the settlement.

4. We do not see any public element involved.
5. The application is allowed.
6. Crime no. 092 of 2023 registered with Nanded (Rural) Police Station and the Criminal Case bearing R.C.C. no. 379 of 2023 pending before the 4th Judicial Magistrate First Class at Nanded District Nanded and the chargesheet for the offences punishable under section 498-A, 323, 504, 506, 294 r/w. 34 of the Indian Penal Code are quashed and set aside.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/