



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3816 OF 2023

1. Qureshi Mohammad Raza s/o
Abdul Quadar
 2. Masroor Majeda Abdul Quader Qureshi
 3. Abdul Quadar Qureshi
 4. Saba Shaikh Qureshi
 5. Aasif Shaikh
 6. Namara Khan
 7. Maryam Tahura
 8. Quazi Jameel
- ... APPLICANTS

Versus

1. The State of Maharashtra
through Begumpura, Police Station
Aurangabad, Tq. & Dist. Aurangabad.
 2. Aayesha Siddhiqui Razza Qureshi
- ... RESPONDENTS

...

Advocate for Applicant : Mr. Nagargoje Prashant M.

APP for Respondents: Mr. A.D. Wange

Advocate for Respondent No.2 : Mr. B.K. Patil h/f. Mr. R.G. Joshi
and Taufiq Ahmed

...

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

DATE : 08.05.2024

PER COURT:

Heard both the sides.

2. The applicants who are the husband and the relatives of the
respondent No.2 are seeking quashment of the FIR No.334/2021
registered at Begumpura Police Station, Aurangabad for the offence

punishable under Section 498A, 313, 323, 354, 504, 506 read with section 34 of the Indian Penal Code, the consequent charge-sheet No.41/2022 and the criminal proceeding bearing R.C.C. No.839/2022 pending on the file of Judicial Magistrate First Class at Aurangabad.

3. This Court had passed following order on 10.11.2023.

“1. This is an application for quashing of the F.I.R. and consequential criminal proceeding. The parties have amicably settled the matter. Applicant – husband has filed an undertaking that he is ready to pay Rs.12 lakhs as lump sum to Respondent No.2 – wife. Out of the said amount Rs.5 lakhs will be paid within two weeks and remaining Rs.7 lakhs by the end of February 2024. He is going to deposit the said amount in the bank account of the informant, mentioned in paragraph no.5 of the undertaking.

2. Considering all these facts, list the matter for compliance on 29th February, 2024.”

4. Pursuant to the order, the learned advocate for the applicants and learned advocate Mr. B.K. Patil holding for Mr. R.G. Joshi and Taufiq Ahmed for the respondent No.2 are unanimous that subsequently the remaining amount has been paid to the respondent No.2. Even a copy of the additional affidavit filed by the applicant No.1 substantiate that fact which has not been controverted. The learned advocates are unanimous that in the light of such settlement, the respondent No.2 having received the money as a full and final settlement has no objection for quashment of the crime.

5. Taking into account the fact that the offence was registered pursuant to the matrimonial dispute between the applicant No.1 and the

respondent No.2, according to us it would be appropriate to quash the crime as per joint request.

6. The application is allowed. The crime bearing FIR No.334/2021 registered with Begumpura Police Station, Aurangabad for the offence punishable under Section 498-A, 313, 323, 354, 504, 506 read with section 34 of the Indian Penal Code, the subsequent charge-sheet No.41/2022 and the criminal proceeding bearing R.C.C. No.839/2022 pending on the file of Judicial Magistrate First Class at Aurangabad are quashed and set aside.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

habeeb