



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1077 CRIMINAL APPLICATION NO. 3320 OF 2023

SHAIKH FAHEEM SHAIKH KARIM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. Sk. Ashraf Patel h/f Mr. Avhad
Abhijeet Padmakar

APP for Respondent No. 1/State : Mr. A.M.Phule
Advocate for Respondent No.2 : Mr. Jain Jitendra Shantilal

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CORAM : SMT. VIBHA KANKANWADI &
R. W. JOSHI, JJ.

DATE : 14.11.2024.

PER COURT :

1. The present application was filed for quashing of the charge-sheet i.e. proceedings bearing RCC No. 2037 of 2019, pending before the Chief Judicial Magistrate, Aurangabad, arising out of the FIR, vide Cr. No. 136 of 2019, for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. In view of the fact that the matter was arising out of

the matrimonial dispute, it was referred for mediation. The mediation was successful and the report was produced by the learned Mediator, along with compromise pursis/deed. Before it could be read and recorded, it appears the parties on their own have modified the terms of the settlement and they have filed fresh/additional compromise deed. The parties are present before the Court and respondent no. 2 before the Court reiterates the contents of the compromise. She also acknowledges that she has received the amount mentioned in the deed and states that she has no objection for quashing of the FIR as well the proceedings.

3. Taking into consideration the said settlement, we are of the opinion that this is a fit case where we can exercise our inherent powers under Section 482 of the Code of Criminal Procedure, 1973. Hence, following order.

ORDER

- i) The Criminal Application stands allowed.
- ii) The proceedings in RCC No. 2037 of 2019, pending before the Chief Judicial Magistrate, Aurangabad, arising out of the FIR, vide Cr. No. 136

of 2019, for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860, stands quashed and set aside as against applicants Nos.1) Shaikh Faheem Shaikh Karim, 2) Ameena Bee Shaikh Kareem, 3) Shaikh Ibrahim Shaikh Karim, 4) Suraiyya Begam Mohammad Sayyed, 5) Sayyad Mohammad Sayyad Yunus, 6) Yasmin Rajek Shaikh and 7) Abdul Razique Abdul Sattar Shaikh.

(R.W. JOSHI)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE