



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4045 OF 2023

1. Swapnil Dipak Khankal
2. Rohit Ravindra Shivsharan
3. Anand Vilas Dhanave
4. Prathmesh Bhagwat Nalwade

..APPLICANTS

VERSUS

1. State of Maharashtra
2. XYZ

..RESPONDENTS

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Mr. S.P. Rathod, Advocate for applicants
Mr. V.K. Kotecha, A.P.P. for respondent no.1 – State
Mr. D.A. Madake, Advocate for respondent no.2

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CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ
DATE : 11th JULY, 2024

PER COURT :

1. This application is filed for quashing of the F.I.R., being C.R. No. 48 of 2023 registered with Osmanpura Police Station, Dist. Aurangabad for the offences punishable under Sections 376(2)(n), 363, 323 and 506 read with Section 34 of the Indian Penal Code and consequential charge-sheet no. 44 of 2023 and proceeding, R.C.C. No. 1193 of 2023 pending on the file of J.M.F.C., Aurangabad.

2. The applicants and Respondent No.2 are present in-person. A joint affidavit is placed on record stating that they have settled the dispute.

Learned counsel for the parties submit that both, Applicant No.1 and Respondent No.2 (informant) got married with each other. They have placed on record copy of the marriage certificate. Same is taken on record and marked 'X' for identification.

3. Informant was major at the date of incident. Considering the same and in view of above, inspite of there being objection by learned A.P.P., we allow the application in terms of prayer clause (B).

(NEERAJ P. DHOTE, J.)
SSD

(R.G. AVACHAT, J.)