



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION (REVN) APPLICATION NO. 58/2024

(Salim Khan s/o. Majid Khan Vs. Rani Parvin w/o. Salim Khan & ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Syed Owais Ahmed, Advocate for applicant

CORAM: SANDIPKUMAR C. MORE, J.
DATED : 02/12/2024.

Heard.

2. It appears that the applicant husband by filing this main criminal revision application No. 58/2024, is challenging the judgment and order dated 05.01.2024 passed by the learned Family Court, Yavatmal in petition No. E-68/2022 under which certain maintenance amount is granted to the present non-applicants. However, it appears that during the pendency of this revision application, the applicant has preferred APPR No. 204/2024 alleging that after passing of impugned order, settlement took place between the parties out of the Court and accordingly a settlement agreement was executed between them on 30.08.2024. Under the aforesaid APPR, the applicant is now submitting that in view of aforesaid settlement agreement, the present criminal revision application can be disposed of and the impugned judgment and order can be

set aside.

3. Vide order dated 25.11.2024, the learned counsel for the applicant had undertaken to keep present rival parties before the Court. Accordingly, the applicant as well as non-applicants remained present before the Court. The non-applicant No.1 wife was then confronted with the agreement dated 30.08.2024 with the help of learned counsel Mr. M. P. Kariya, she admitted the same. Thus, it appears that the parties have settled the dispute between themselves out of the Court by entering into the agreement of settlement dated 30.08.2024 and the same is taken on record and marked as "X" for identification. The non-applicant No.1 wife stated before the Court that she is residing with the applicant/husband since 15.04.2024 and not having any complaint or ill-treatment at the hands of husband. As such, in view of aforesaid agreement, the impugned judgment and order is hereby set aside only in respect of maintenance granted to non-applicant No.1. The Non-applicant Nos. 2 and 3 being the minor children of applicant and non-applicant No.1 will obviously reside with them.

4. In view of above, the main criminal revision application stands allowed and the impugned judgment and order is set aside to the extent of relief of maintenance granted to non-applicant No.1 and disposed of accordingly along with the APPR No. 204/2024.

5. Application stands disposed of in above terms.

(SANDIPKUMAR C. MORE, J.)

Gohane