



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

8 CRIMINAL APPLICATION NO. 261 OF 2025

Vatsal Yogesh Tanna and another
VERSUS
The State of Maharashtra and another

...
Advocate for Applicant : Mr. R.N. Chavan and Mr. N.S. Bagwe
APP for Respondent No.1: Mr. N.R. Dayama
Advocate for Respondent No.2 : Mr. R.P. Totla

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**CORAM : SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**
DATED : 6th FEBRUARY, 2025

PER COURT :-

1. The present application has been filed for quashing of the proceeding in R.C.C. No. 1348 of 2024, pending before the Chief Judicial Magistrate, Aurangabad, arising out of C.R. No. 24 of 2024, registered with Vedantnagar police station, Aurangabad for the offences punishable under Sections 498-A, 323, 504, 506 r.w. 34 of I.P.C.

2. Learned A.P.P. waives notice for respondent No.1 and learned advocate, Mr. Totla, suo moto appears for respondent No.2 and waives notice.

3. The quashment is on the basis of compromise. The

relationship between the parties is not disputed. It appears that respondent No.2 has filed petition for maintenance bearing No. E-129 of 2024 before the Family Court, Aurangabad, wherein the terms of settlement were produced, which was signed by the husband and wife i.e. applicant No.1 and respondent No.2. Those terms have been verified by the learned Judge of the Family Court on 19.12.2024. They have been read and recorded and settlement term No.8 is in respect of the present matter i.e. steps for withdrawal of the proceeding in R.C.C. No. 1348 of 2024. They have decided to take divorce by mutual consent and it appears that the said proceedings are also filed before the Family Court, Aurangabad.

4. Learned advocate for respondent No.2 submits that some amount, as agreed, is not deposited. Learned advocate for the applicants submits that the said amount would be deposited on 10.02.2025, before the Family Court, Aurangabad. We take this statement as an undertaking and hope that it is obeyed, otherwise the applicants would be liable for contempt of courts.

5. When the terms of settlement have been verified by Judicial Officer of competent court, there is no necessity to have it again recorded and get it verified. The case is made out for exercise of powers under Section 482 of the Code of Criminal Procedure, 1973.

Hence, the application stands allowed.

6. The proceedings in R.C.C.No. 1348 of 2024, pending before the learned Chief Judicial Magistrate, Aurangabad arising of C.R. No. 24 of 2024, registered with Vedantnagar police station, Aurangabad, for the offences punishable under Sections 498-A, 323, 504, 506 r.w. 34 of I.P.C. stands quashed and set aside, as against all the applicants.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

rlj/