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14criapln3009.24

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

14 CRIMINAL APPLICATION NO. 3009 OF 2024

SUNIL BABURAO KHARAT AND OTHERS

....Applicants

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

.....Respondents

Mr. J. V. Deshpande, Advocate for the applicants

Mr. P. S. Patil, Add. P. P. for the respondents/State

Mr. Rakesh Jain, Advocate h/f Mr. A. D. Deshmukh, Advocate for
respondent No. 2

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 10th SEPTEMBER, 2025

P. C.

1. Present application has been filed for quashment of the proceeding in RCC No. 694/2023 pending before the learned JMFC, Parbhani arising out of the Crime No. 272/2023 dated 15-07-2023 for the offences punishable under Sections 498-A, 323, 504, 506 read with section 34 of the IPC.

2. Respondent No. 2 has filed affidavit-in-reply and has also filed settlement deed which was arrived at before the

Marriage Counselor attached to the Family Court, Aurangabad between herself and applicant No.1 and by way of this compromise respondent No.2-wife and applicant No.1-husband have started residing together in a rented premises owned by one Laxman Palve in Pawan Nagar, Near Renukamata Mandir, Aurangabad. The affidavit is sworn before the Section Officer and the statement has been made that the matter before the Family Court i.e. proceeding No. A-337/2023 has been disposed off. The original applicant No. 1 and respondent No. 2 are present before this court. Respondent No. 2 has confirmed that she is now being looked after properly by the husband and now she has no objection for allowing this application.

3. When the matter was before this court on 21-08-2024 and shown disinclination to grant any relief to applicant Nos. 1 and 2, the learned advocate for the applicants, on instructions, had withdrawn the application as against applicant Nos. 1 and 2.

4. Now, respondent No. 2 has given no objection for quashing the proceeding against all.

5. Under such circumstance, we recall order dated 21-08-2024, in view of the statement and the fact that the husband and wife have united.

6. In view of the change in circumstance, the criminal application stands allowed.

7. The order dated 21-08-2024 stands recalled.

8. The proceeding RCC NO. 694/2023 pending before the learned JMFC, Parbhani arising out of the Crime No. 272/2023 dated 15-07-2023 registered with Nanalpeth Police Station, Parbhani for the offences punishable under Sections 498-A, 323, 504, 506 read with section 34 of the IPC stands quashed and set aside as against all the applicants namely; Sunil Baburao Kharat, Pushpa W/o. Baburao Kharat, Surekha Suresh

(4)

14criapln3009.24

Bahirat, Varsha W/o. Sandip Narwade, Swati w/o. Pradip Narwade, Pradip Kaduba Narwade, Pramila w/o. Nagsen Kankute.

[HITEN S. VENEGAVKAR, J.] [SMT. VIBHA KANKANWADI, J.]

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