



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

CRIMINAL APPLICATION NO.3170 OF 2024

- 1) Sabir Hussain Bashmak,
Age-32 years, Occu:Labour,
R/o-Hussain Colony, Husainiya Masjid,
Galli No.6, Behind High Court Compound,
Garkheda Parisar, Aurangabad,
- 2) Faizan Nasir Bin Mubarak,
Age-21 years, Occu:Labour,
R/o-Plot No.159, Misarwadi,
Abrar Colony, Aurangabad,
- 3) Wahida Hussain Bashmak
Age-60 years, Occu:Household,
R/o-Hussain Colony, Husainiya Masjid,
Galli No.6, Behind High Court Compound,
Garkheda Parisar, Aurangabad,
- 4) Hina Abud Amodi,
Age-27 years, Occu:Household,
R/o-Near Raziya Fatema School,
Kat Kat Gate, Aurangabad.

...APPLICANTS

VERSUS

- 1) The State of Maharashtra,
Through Police Station,
City Chowk, Aurangabad,
- 2) Adnan Al Amri S/o Said Al Amri,
Age-18 years, Occu:Labour,
R/o-Opp. To Almas Hotel,
Buddilane, Aurangabad.

...RESPONDENTS

...
Mr. Mohammed Imran Ahmed Advocate for Applicant.
Mr. G.A. Kulkarni, A.P.P. for Respondent No.1.
Mr. Moinuddin N. Shaikh Advocate for Respondent No.2.
...

**CORAM: SMT. VIBHA KANKANWADI AND
ROHIT W. JOSHI, JJ.**

DATE : 17th JANUARY, 2025

ORDER [PER SMT. VIBHA KANKANWADI, J.] :

1. Present Application has been filed for quashing the First Information Report (for short "the FIR") vide Crime No.198 of 2024 dated 3rd June 2024 registered with City Chowk Police station, Aurangabad, for the offence punishable under Sections 324, 323, 504, 506 read with Section 34 of the Indian Penal Code. It is now stated that the charge-sheet has been filed in the matter. However, the matter has been settled between the applicants and respondent No.2. The terms of settlement have been produced on record and they have been got verified through the learned Registrar (Judicial). Respondent No.2, especially, has reiterated the terms before the learned Registrar (Judicial). The relationship between the parties is that applicant No.1 is the brother-in-law of respondent No.2 i.e. applicant No.1 is the husband of the sister of respondent No.2 – informant. In

the terms of settlement, it is specifically stated that now the differences between applicant No.1 and the sister of respondent No.2 have been resolved and they are cohabiting with each other. That is the reason why respondent No.2 says that he has no objection for quashing the FIR and now the further proceedings.

2. In view of the settlement, we have no hesitation in exercising our powers under Section 482 of the Code of Criminal Procedure for quashing the FIR and the subsequent proceedings, however, since the entire machinery has been used, we impose costs. Hence the following order:-

ORDER

(I) The Application stands allowed.

(II) The First Information Report vide Crime No.198 of 2024 dated 3rd June 2024 registered with City Chowk Police station, Aurangabad, for the offence punishable under Sections 324, 323, 504, 506 read with Section 34 of the Indian Penal Code and the further proceedings arising out of the same, stands quashed and set aside as against

applicant Nos. 1 to 4 i.e. - 1) Sabir Hussain Bashmak, 2) Faizan Nasir Bin Mubarak, 3) Wahida Hussain Bashmak and 4) Hina Abud Amodi.

(III) Applicants to deposit costs of Rs.20,000/- with the High Court Legal Services Sub Committee, Aurangabad within a period of two weeks from today, failing which the proceedings would get revived.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JAN25