



-1-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CRIMINAL APPLICATION NO. 2991 OF 2023

JAVED MOHAMMAD SHAIKH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

WITH
CRIMINAL APPLICATION NO. 3534 OF 2024
IN APPLN/2991/2023

JAVED MOHAMMAD SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

...

Advocate for Applicant : Mr. Mohd Sharef Latif
A.P.P. for Respondent/State : Mr.A. D. Wange
Advocate for Respondent No.2 : Mr. Pathan Hamzakhan I. & Mr. Kale
Yogesh D.

...

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

DATED : 24th JANUARY, 2025

PER COURT :-

1. Present application has been filed for quashing the FIR vide C. R. No.0132 of 2023 dated 05.07.2023 registered with Sillod City Police Station, Taluka Sillod, District Aurangabad for the offences punishable under Section 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2. When the matter was on board on 14.09.2023, learned

Advocate for the applicant has withdraw the application for husband/applicant No.1. However, it appears that now the husband and respondent No.2 have settled the matter and therefore Criminal Application No.3534 of 2024 has been filed in this application for adding applicant No.1 as party applicant once again. We take that application is for recalling of the order dated 14th September 2023, in view of the compromise.

3. The terms of settlement and the affidavit in reply of respondent No.2 has been filed and then got verified from Registrar (Judicial) who has submitted his report on 20.01.2025. It appears from the settlement deed that applicant Nos.1 and respondent No.2 are residing together since February 2024. In the affidavit in reply respondent No.2 states that she is now looked after properly with respect and dignity and therefore, she do not want to continue the proceedings initiated on the basis of her FIR. As the dispute was matrimonial dispute and it has ended on a happy note, we take this as a fit case where we should exercise our inherent powers under Section 182 of Cr.P.C. Application No.3534/2024 stands allowed. Amendment to that effect be carried out immediately by the applicants in Criminal Application No.2991 of 2023.

4. Criminal Application No.2991 of 2023 stands allowed. The FIR vide C. R. No.0132 of 2023 dated 05.07.2023 registered with Sillod City Police Station, Taluka Sillod, District Aurangabad for the offences punishable under Section 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860 stands quashed and set aside as against all the applicants.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

A.G.Narwade