



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3147 OF 2022

1. Jagdish S/o Ramnath Hankare,
Age : 31 Years, Occ. Private Service,
R/o. At post Malegaon,
Taluka Georai, District Beed.
(Husband) Dismissed as withdrawn
2. Ramnath S/o Maroti Hankare,
Age : 67 Years, Occ. Nil,
R/o. At Post Malegaon,
Taluka Georai, Dist. Beed.
(Mother-in-law)
3. Chatabai W/o Ramnath Hankare,
Age : 55 Years, Occ. Household,
R/o. At Post Malegaon,
Taluka Georai, Dist. Beed.
(Mother-in-law)
4. Komal W/o Dhananjay Gaikwad,
Age : 27 Years, Occ. Household,
R/o. Flat No. 403, 4th Floor,
Building No. B-2, Sonigar Wakad District
Pune. (Maternal uncle)
5. Vaijinath S/o Maroti Maske,
Age : 65 Years, Occ. Business,
R/o. Mali Ves. Subhash Road, Beed ..Applicants
(Orig. Accused Nos.1to5)

VERSUS

1. The State of Maharashtra,
Through the Police Station Officer,
Georai Police Station, Georai.
2. Mrs. Anjali W/o Jagdish Hankare,
Age : 21 Years, Occ. Household,
R/o. At Post Malegaon,
Taluka Georai, Dist. Beed. .. Respondents

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Advocate for the Applicants : Mr.Suhas R. Shirsat
A.P.P. for Respondent No.1 State : Mr. N. R. Dayama
Advocate for Respondent No.2 : Mr. V. P. Savant

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

DATED : JANUARY 10, 2025

ORDER:-

1. The learned Advocate for the applicants as well as respondent No.2 submit that during the pendency of this proceeding, the husband and wife i.e. applicant No.1 and respondent No.2 had entered into settlement and then they had filed petition for divorce by mutual consent. Certified copy of the judgment and decree has been produced on record which is taken on record by marking Exhibit "A". In the petition there is specific mention that respondent No.2 will not object for the quashment of the First Information Report bearing Crime Register No. 0095 of 2022, on the basis of which proceeding bearing Regular Criminal Case No. 296 of 2022 is pending before the learned Judicial Magistrate, First Class, Gevrai, District Beed. From the judgment, it appears that the learned Civil Judge, Senior Division, Beed had considered the contents of the petition, affidavit with which copies of *Adhar Cards* were annexed whereby the identity of respondent No.2 is not in question. Under such circumstances, we have no hesitation in accepting the fact that there is settlement between the parties and now respondent No.2 has no objection for the

quashment of the proceedings including First Information Report.

2. It appears from the record that as per the order passed by this Court on 12.10.2022, the application as against applicant No.1 stood dismissed as withdrawn which appears to be as this Court at that time was not inclined to grant any relief to applicant No.1. Taking into consideration the facts above stated as there is settlement, in our inherent powers we recall the said order dated 12.10.2022 and decide this application in respect of applicant No.1 also. Hence, the following order.

ORDER

- (i) The application stands allowed.
- (ii) The proceedings in Regular Criminal Case No. 296 of 2022 pending before the learned Judicial Magistrate First Class Gevrai District Beed arising out of CR No. 95 of 2022 registered with Gevrai Police Station, District Beed on 23.02.2022 for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code stands quashed and set aside as against all the applicants.

(ROHIT W. JOSHI)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

Y.S. Kulkarni