

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3706 OF 2018

1. Harshad @ Harshvadhan s/o
Sureshrao Deshmukh,
Age : 28 years, Occu. Student,
R/o 795, Mini Apartment,
Flat No.6, Bhandarkar Road,
Deccan, Pune
 2. Sureshrao Anandrao Deshmukh,
Age : 63 years, Occu. Agri.,
R/o Upala (M), at present
resident at Ram Nagar, Osmanabad,
District Osmanabad
 3. Sau. Nirmala w/o Sureshrao Deshmukh,
Age : 59 years, Occu. Household,
R/o Upala (M), at present
resident at Ram Nagar, Osmanabad,
District Osmanabad
- APPLICANTS**
(Ori. Accused
Nos.1 to 3)

VERSUS

1. The State of Maharashtra,
through Police Station, Ambad,
District Jalna
 2. Pruthva w/o Harshad Deshmukh,
Age : 24 years, Occu. Household,
R/o c/o Sanjay Harshe,
Saroj Building, Ambad,
Tq. Ambad, District Jalna
- RESPONDENT**

RESPONDENT
(Ori. informant)

Mr. Sudarshan J. Salunke, Advocate for the applicants
Mr. S.B. Narwade, A.P.P. for the respondent/State
Mr. P.A. Bhosale, Advocate for respondent No.2

**CORAM : S.S. SHINDE AND
R.G. AVACHAT, JJ.**

DATE : 10th JANUARY, 2019

ORAL JUDGMENT (PER : S.S. SHINDE, J.) :

Rule. Rule made returnable forthwith and with the consent of the learned counsel for the parties, heard finally, pursuant to the notice issued to the respondents.

2. The terms of compromise, duly signed by the applicants and respondent No.2, have been placed on record. The learned counsel appearing for the applicants and respondent No.2 jointly pray for quashing the F.I.R., in view of the terms of compromise arrived at between the applicants and respondent No. 2.

3. The learned A.P.P., appearing for the respondent/State, pursuant to the notice of this Court, submits that there was an application filed earlier by the present applicants for quashing the F.I.R. However, the said application was rejected on merits.

4. Be that as it may. Since the applicants and respondent No.2 have arrived at amicable settlement and to that effect, terms of compromise have been placed on

record by them, keeping in view the ratio laid down in the judgment of the Hon'ble the Supreme Court of India in the case of ***Gian Singh Vs. State of Punjab and another (2012) 10 SCC 303***, to meet the ends of justice and to prevent abuse of process of Court, the F.I.R. can be quashed on the basis of such compromise/settlement between the parties, arising out of matrimonial dispute.

5. We have carefully perused the terms of compromise. It appears that already, the applicants and respondent No.2 have filed such terms of compromise before the Family Court, Pune. In that view of the matter, no fruitful purpose would be served by continuing further investigation in Crime No.63 of 2017, registered with Police Station, Ambad, District Jalna for the offences punishable under Sections 498-A, 323, 494 read with section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, since respondent No.2 is not going to support the allegations made in the F.I.R. and further continuation of investigation/proceedings arising out of the aforesaid crime would be an exercise in futility and abuse of the process of law.

6. In the light of discussion hereinabove, the Criminal Application is allowed in terms of prayer clause (C). Rule is made absolute in the above terms. The Criminal Application stands disposed of accordingly.

7. The parties to act on authenticated copy of this order.

[R.G. AVACHAT]
JUDGE

[S.S. SHINDE]
JUDGE

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