

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.93 OF 2021

SACHIN KISANRAO DANGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.V.V.Deshmukh, Advocate for the applicants.

Mr.R.V.Dasalkar, APP for respondent No.1.

Mr.D.J.Patil, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE AND
B.U.DEBADWAR, JJ.)

DATE : MARCH 25, 2021

PER COURT :

1. The learned Advocates for the applicants and respondent No.2 submit that the wife has started living with the husband/ applicant No.1. Both have reconciled their differences and are living together under one roof. Other family relatives like applicant Nos.2 to 4 are residing separately. The husband and the wife assure that they would show maturity and refrain from indulging in petty quarrels. It is, therefore, jointly prayed that the FIR filed by the wife may be quashed.

2. We have perused the FIR. As the husband has assured the wife that he would be patient and take care of her and since this statement is reciprocated with the same sentiments by the wife, we find that in these

peculiar facts and circumstances of the case and since the marriage has been saved, the FIR dated 21/12/2020 could be quashed. We are informed that the marriage is more than 15 years old, and the couple have children who are 12 years and 9 years old, respectively.

3. We have also recorded the statements of applicant Nos. 2 to 4 that they have not interfered with the marital life of the couple and would never interfere anytime in future.

4. In view of the above, and without laying down a precedent, this application is allowed after recording the statements of applicant No.1/husband and respondent No.2/wife. The FIR No.0392/2020 dated 21/12/2020, registered with the Pundlik Nagar Police Station, Aurangabad is quashed.

5. Needless to state, in the event the wife finds that the husband has not stood by his statement made before this Court, she would be at liberty to take recourse to the legal remedies available to her in Law. So also, the same relief would be available to the husband.

(B.U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)