

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 1130 OF 2018

1. Dr. Ranjit Sanjay Bhosale,
Aged about 32 years, Occu.: Education,
2. Sanjay Vijaysingh Bhosale,
Aged about 57 years, Occu.: Business,
3. Dr. Sumedha Sanjay Bhosale,
Aged about 55 years, Occu.: Doctor,

Applicant No.1 to 2, R/o. Swagat Shilp,
Flat No.12, Katkarpeth, Prabhat Road,
Pune.

.... **APPLICANTS.**

// VERSUS //

1. State of Maharashtra,
Through PSO P.S. Buldana,
Dist. Buldana.
2. Sau. Unnati Ranjit Bhosale,
Aged 27 years, Occ- Doctor,

R/o. 1 BR/1055/4A/1891,
Lande Layout, Trimurti Nagar,
Buldana, Distt – Buldana

C/o. B.T.Jadhav Near, Swami Vivekanand,
Circular Road, Chaitanya Wadi,
Buldana- 443 002.

.... **NON-APPLICANTS.**

Shri S.V.Sirpurkar, Advocate for Applicants.

Shri N.S.Rao, A.P.P. for Non-applicant No.1.

Shri Akshay Pande, Adv. a/w. Shri A.A.Gupta, Adv. for Non-applicant No.2.

CORAM : Z.A.HAQ AND AMIT B. BORKAR, JJ.
DATED : FEBRUARY 11, 2021.

ORAL JUDGMENT : (Per : Z.A.Haq, J.)

1. Heard.

2. **RULE.** Rule made returnable forthwith.

3. The Accused have filed this application under Section 482 of the Code of Criminal Procedure praying that the First Information Report registered against the applicants with the non-applicant No.1-Police Station bearing Crime No.1138 of 2018 for the offences punishable under Sections 376, 377, 328, 342 and 498-A of the Indian Penal Code and Section 5 of the Dowry Prohibition Act, 1961 be quashed.

4. The First Information Report is registered on the complaint lodged by the non-applicant No.2. The applicant No.1 is husband of the non-applicant No.2, applicant Nos. 2 and 3 are father and mother of the applicant No.1.

5. During pendency of this Criminal Application, the parties were referred for mediation, however, the mediation could not take place because

of the lockdown. The learned Advocate for the applicants and the learned Advocate for the non-applicant No.2 submitted that though mediation could not take place, because of the efforts taken by the parties, the matter is amicably worked out and the applicant No.1 and the non-applicant No.2 have filed petition before Family Court at Pune praying for decree for dissolution of the marriage by consent.

6. The applicant and non-applicant No.2-informant have filed applications for disposal as per compromise supported by affidavit praying that the First Information Report registered against the applicants be quashed in view of the settlement.

7. Looking to the nature of the accusations made against the applicants and the fact that the investigation is at preliminary stage, in our view, keeping the criminal proceedings pending against the applicants would not serve any fruitful purpose when the non-applicant No.2-informant stated that she is not interested in prosecution of the applicants. Hence, we deem it fit to exercise jurisdiction under Section 482 of the Code of Criminal Procedure and quash the First Information Report registered against the applicants.

7. Hence, the following order:

The First Information Report bearing Crime No.1138 of 2018 registered against the applicants with the non-applicant No.1 Police Station is quashed.

Rule is made absolute accordingly.

CRI.APPLN.NO.162/2021 & CRI.APPLN.NO. 265/2021.

In view of disposal of Criminal Application No.1130 of 2018, the instant Criminal Applications filed by the applicant and the non-applicant No.2 praying for disposal as per compromise do not survive, hence, both the Criminal Applications are disposed.

(AMIT B. BORKAR, J)

(Z.A.HAQ, J)

RRaut..