

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 725 OF 2020

VAIBHAV S/O. DINESH PIMPALGAONKAR AND
OTHERS
VERSUS

THE STATE OF MAHARASHTRA AND ANR

...

AND

CRIMINAL APPLICATION NO.2213 OF 2022

ANAND DINESH PIMPALGAONKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Randive Sachin S.

APP for Respondent : Mr. R V Dasalkar

Advocate for Respondent 2 : Mr. S S Patil

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WITH

CRIMINAL APPLICATION NO.726 OF 2020

DINESH S/O RAM PIMPALGAONKAR AND ANR.
VERSUS

THE STATE OF MAHARASHTRA AND ANR.

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Advocate for Applicants : Mr. Manwatkar D.U.

APP for Respondent : Mr. R V Dasalkar

Advocate for Respondent 2 : Mr. S S Patil

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CORAM:SARANG V. KOTWAL & BHARAT P.DESHPANDE, JJ.

Dated : July 07, 2022

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PER COURT :-

1. These three applications are disposed off by this common order because they challenge the same proceedings. Respondent no.2 in all these applications is the first informant. The applicant Anand in Criminal Application No.2213 of 2022 is her husband. In criminal application no.725 of 2020 the applicant no.1- Vaibhav is Anand's brother, applicant no.2 is his uncle and applicant no.3 is his aunt. In criminal application No.726 of 2020 the applicant no.1 is his father and applicant no.2 is his mother. The informant had lodged her FIR in Deopur Police Station vide C.R.No.294 of 2019 on 8.12.2019 under sections 498-A, 420, 323, 504, 506, 34 of the IPC. It is not necessary to reproduce the entire allegations in the FIR in view of the settlement between the parties and also since divorce proceedings are still pending. Suffice it to say that, there are allegations of commission of offences which are mentioned above. Today, respondent no.2 has filed her affidavit-in-reply before us. It is mentioned that, during pendency of criminal application nos.725 and 726 of

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2020 matter was referred for mediation and in those mediation proceedings the matter was settled and the parties had filed HMP 157 of 2022 for divorce by mutual consent in the Family Court, at Dhule. It was decided that husband would pay an amount of Rs.20 Lakhs to the informant as one time permanent alimony, out of which Rs.10 Lakh will be given in the form of gold ornaments, silver utensils, gifts and remaining amount of Rs.10 Lakh were to be payable before decree of divorce by mutual consent is granted. In paragraph no.6 of the affidavit, it was mentioned that the informant, in view of mutual consent terms, has no more grievance against the applicants and she has no objection for quashing of RCC No.327 of 2020 pending before the Judicial Magistrate First Class, Dhule.

2. In view of this affidavit-in-reply and having regard to the settlement arrived at between the parties, these applications are allowed. Hence, following order.

O R D E R

- i. The proceedings pending against all these applicants vide RCC No.327 of 2020

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pending before the Judicial Magistrate First Class, Dhule are quashed and set aside.

- ii. The Applications are disposed off.

(BHARAT P. DESHPANDE, J.) (SARANG V. KOTWAL, J.)

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