

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1246 OF 2022

1. Sudhir Shridhar Shewale
2. Shridhar Vasantao Shewale
3. Mahananda Shridhar Shewale
4. Nagraj Pralhad Kamble
5. Raviraj Pralhad Kamble
6. Gayatri Raviraj Kamble

Versus

1. The State of Maharashtra
2. Manisha @ Mayuri Sudhir Shewale

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Advocate for Applicants : Mr. Patel Fayaz K.
APP for Respondent No.1-State : Mr. S. D. Ghayal
Advocate for Respondent No.2 : Mr. R. P. Adgaonkar

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**CORAM : C. V. BHADANG AND
BHARAT P. DESHPANDE, JJ.
DATED : 8 JUNE 2022**

PER COURT:-

By this application under Section 482 of the Code of Criminal Procedure, the applicants are seeking quashing of the FIR in crime no. 22/2019 registered at Nardana Police Station, District Dhule and the consequent charge-sheet filed in RCC No. 31 of 2019 pending before learned Judicial Magistrate First Class,

Shindkheda, District Dhule. Applicant no.1 is the husband of second respondent, while applicant nos. 2 to 6 are her in-laws.

2. We have heard learned counsel for the parties. Perused record.

3. Learned counsel for the parties have pointed out that the parties have amicably settled the dispute and the consent terms were produced before the learned Single Judge of this Court in Misc. Civil Application No. 180 of 2021 which was an application for transfer under Section 24 of the Code of Civil Procedure. This Court (Coram : Bharati H. Dangre, J.) has disposed of the said application by order dated 6 January 2022 after recording the settlement. This Court has noticed that the applicant/husband had paid an amount of Rs.10,00,000/- towards permanent alimony and maintenance to the second respondent/wife and the second respondent has agreed to withdraw all the proceedings, including RCC No. 31/2019. The parties have also agreed for dissolution of marriage by consent. Learned counsel appearing for the second

respondent admits that the matter has been settled and therefore has expressed no objection for quashing of the proceedings.

4. The Supreme Court in *Jitendra Raghuvanshi and others v. Babita Raghuvanshi and another* (2013) 4 SCC 58 has held that the inherent powers of the High Court under Section 482 of the Code are wide and unfettered and it is the duty of the courts to encourage genuine settlements of matrimonial disputes, particularly, when the same are on considerable increase.

5. In view of the settlement between the parties, we find it appropriate that the FIR and the consequent criminal case is quashed. In the result, the criminal application is allowed in terms of prayer clause (B).

BHARAT. P. DESHPANDE, J.

C. V. BHADANG, J.