

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

CRIMINAL APPLICATION NO. 2269 OF 2020

1. Satish Tryambak Sonawane
Age: 28 years, Occu.: Govt. Service,
R/o Government Quarter, E-9,
Government Hospital Jalna,
Tq. & Dist. Jalna
2. Lilabai Tryambak Sonawane
Age: 65 years, Occu.: Household,
R/o Koli Kotha, Tq. Bhokardan,
Dist. Jalna
3. Sunita Badu Tayade
Age: 38 years, Occu.: Household,
R/o Halada, Tq. Sillod,
Dist. Aurangabad
4. Pushpa Ganesh Baviskar
Age: 35 years, Occu.: Household,
R/o Jalgaon Khandesh,
Tq. & Dist. Jalgaon
5. Ramesh Tryambak Sonawane
Age: 40 years, Occu.: Service,
R/o Aurangabad
6. Sarita Ramesh Sonawane
Age: 35 years, Occu.: Household,
R/o Aurangabad
7. Mayuri Sanjay Dandge
Age: 19 years, Occu.: Education,
R/o Ambhai, Tq. Sillod,
Dist. Aurangabad

..APPLICANTS

VERSUS

1. State of Maharashtra
Through its P.I.
Police Station Kadim Jalna
Tq. & Dist. Jalna

2. Mukta Satish Sonawane
Age: 22 years, Occu.: Household,
R/o Rahimabad, Tq. Sillod,
Dist. Aurangabad

..RESPONDENTS

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Mr. K.D. Jadhav, Advocate for applicants
Mrs. V.N. Patil-Jadhav, A.P.P. for respondent no.1 – State
Mr. M.L. Deoda, Advocate for respondent no.2

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**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.
DATE : 02nd JANUARY, 2023**

PER COURT :

1. With consent, heard finally at the stage of admission.
2. The applicants have filed this application under Section 482 of Code of Criminal Procedure for quashing and setting aside the F.I.R. dated 03rd September, 2020, bearing C.R. No. 410 of 2020 registered at Kadim Jalna Police Station for the offences punishable under Sections 307, 494, 498-A read with Section 34 of the Indian Penal Code and consequented Charge-sheet No. 74 of 2021 registered as S.C. No. 113 of 2021 on the file of Sessions Court, Jalna.
3. The brief facts leading to this application are as follows -

The applicants are the accused in the aforesaid sessions case, filed pursuant to the F.I.R. lodged by Respondent No.2. The Applicant No.1 is the

husband of Respondent No.2, whereas the Applicant No.2 is the mother-in-law, the Applicant Nos.3, 4 and 6 are the sisters-in-law and the Applicant No.5 is her brother-in-law. The matrimonial dispute between Applicant No.1 and Respondent No.2 led to filing of the F.I.R., wherein Respondent No.2 levelled allegations of demand of dowry and physical and mental cruelty.

4. Learned counsel for the applicants state that the dispute has been amicably settled with the help of and intervention of the family members. Respondent No.2, who is present before the Court, has filed an affidavit wherein she had asserted that the matter has been amicably settled with intervention of elders and other family members and has accorded no objection for quashing the criminal proceedings.

5. The offence under Section 307 of the I.P.C. is not made out. The dispute is of personal nature. It is stated that pursuant to the settlement, the Applicant No.1 and Respondent No.2 have filed proceeding under Section 13B of the Hindu Marriage Act, 1955 before the Civil Court, Aurangabad being H.M.P. No. 509 of 2022. We are satisfied that the parties have settled the dispute amicably without any pressure and that the settlement is genuine.

6. Considering the fact that the parties have now resolved the dispute amicably and in view of the decisions of the Apex Court ***B.S. Joshi Vs. State***

of Haryana, AIR 2003 SC 13861 and *Jitendra Raghuvanshi and Others Vs. Babita Raghuvanshi and Another, (2013) 4 SCC 58*, this is a fit case to exercise power under Section 482 of the Code of Criminal Procedure to quash the F.I.R. and criminal proceedings and to give an opportunity to the parties to settle down in life rather than wasting their time, energy and money in fighting Court battles.

7. In view of above, application is allowed in terms of prayer clauses (B) and (E). Consequently, F.I.R. bearing C.R. No. 410 of 2020 registered at Kadim Jalna Police Station and S.C. No. 113 of 2021 pending on the file of Sessions Court, Jalna are hereby quashed.

(R.M. JOSHI, J.)

SSD

(SMT. ANUJA PRABHUDESSAI, J.)