



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 341 OF 2021

Pranesh Bhikaji Dhandare and ors.

.... Applicants

v/s.

The State of Maharashtra and anr.

.... Respondents

Ms. Bhairavi A. Ranpise for the Applicants.

Ms. Aruna Pai, PP and Mr. Ajay Patil, APP for the State.

Mr. Sachin Padaye for Respondent No.2.

**CORAM: SMT. ANUJA PRABHUDESSAI AND
N.R. BORKAR, JJ.**

DATED : 25th SEPTEMBER, 2023.

P. C. :-

. Learned counsel for the Applicants states that during the pendency of this application, charge sheet has been filed before the learned JMFC, Nashik Road, Nashik. She seeks leave to amend the prayer clause (a) as to incorporate RCC No.370 of 2021. Leave granted. Amendment to be carried out forthwith.

2. This is an application under section 482 of Cr.PC. to quash the FIR No.523/2020 registered with Nashik Road Police Station, Nashik for offences punishable under sections 323, 406, 498-A, 504, 506 r/w. 34 of the Indian Penal Code.

3. The aforesaid crime was registered pursuant to the FIR lodged by Respondent No.2. The facts narrated in the FIR prima facie reveal that the marriage of Respondent No.2 and the Applicant No.1 was solemnized on 05/04/2015. It appears that there was matrimonial discord between the Respondent No.2 and the Applicant No.1 which resulted in filing of the FIR against the Applicant No.1 and his family members.

4. Learned counsel for the Applicants and the Respondent No.2 state that during the pendency of this application, the Respondent No.2 and the Applicant No.1 have resolved their matrimonial dispute and that Respondent No.2 has joined the Applicant No.1 at the matrimonial home.

5. The Applicant No.1 and the Respondent No.2 who are present before the Court have placed on record consent terms wherein they have stated that they are living together along with their children since 23/05/2022 and that they have agreed to withdraw all the allegations and proceedings against each other pending before the Courts. The Respondent No.2 states that she has no grievance against the Applicant No.1 and his family members and that they want to maintain cordial relationship with each other. The Applicant No.1 has also agreed to take care of Respondent No.2 and his children. The Applicant No.1 and the

Respondent No.2 have confirmed the contents of the Consent Terms. The Respondent No.2 has also filed a separate affidavit giving her consent for quashing the FIR.

6. The Applicant No.1 and the Respondent No.2 have settled the dispute amicably and have resumed their matrimonial relationship. The settlement between the parties is genuine. Considering this aspect and the dictum of the Apex Court in *Jitendra Raghuvanshi and ors. v/s. Babita Raghuvanshi and anr. (2013) 4 SCC 58* and *Rangappa Javoor v/s. State of Karnataka AIR ONLINE 2023 SC 506*, in our considered view, this is a fit case to exercise discretion under section 482 of Cr.P.C. Hence, the Application is allowed in terms of prayer clause (a). Consequently, RCC No.370 of 2021 pending on the file of learned JMFC, Nashik Road, Nashik and the FIR No.523/2020 registered with Nashik Road Police Station, Nashik for offences punishable under sections 323, 406, 498-A, 504, 506 r/w. 34 of the Indian Penal Code, are hereby quashed.

7. Application stands disposed of.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)