



(This order is corrected in view of Speaking to Minutes order dated 10th January 2025)

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

CRIMINAL APPLICATION NO.4511 OF 2024

Sunil Sudhakar Kulkarni,
Age-41 years, Occu:Service,
R/o-Flat No.10, 3rd Floor,
Sai Preet Home, Near Paritosh
Building, Behind Mitcon,
Balewadi, Pune.
(Husband)

...APPLICANT

VERSUS

- 1) The State of Maharashtra,
Through PI Gandhi Chowk Police
Station, District-Latur,
- 2) Smita Sunil Kulkarni @
Smita Nagesh Joshi,
Age-38 years, Occu:Service,
Presently R/o-Ram Galli,
Near Ram Mandir and Keshavraaj
Mandir Chowk, Opp. Ayachit Wada,
Khadak Hanuman, Latur-413 512

...RESPONDENTS

WITH

CRIMINAL APPLICATION NO.4388 OF 2023

- 1) Sulekha Sudhakar Kulkarni,
Age-70 years, Occu:Housewife
(Mother-in-law)
- 2) Sudhakar Keshavrao Kulkarni,
Age-75 years, Occu: Retired

(Father-in-law)

Both presently R/o-Flat No.10,
3rd Floor, Sai Preet Home,
Near Paritosh Building, Behind Mitcon,
Balewadi, Pune.

...APPLICANTS

VERSUS

- 1) The State of Maharashtra,
- 2) Smita Sunil Kulkarni,
Age-37 years, Occu:Service,
Presently R/o-Ram Galli,
Near Keshavraj Mandir
Gandhi Chowk, Latur

...RESPONDENTS

...
Mr. Joslyn A. Menzes Advocate for Applicants in both the
Applications.
Mr. A.M. Phule, A.P.P. for Respondent No.1.
Mr. Ameya N. Sabnis Advocate for Respondent No.2.
...

**CORAM: SMT. VIBHA KANKANWADI AND
ROHIT W. JOSHI, JJ.**

DATE : 3rd DECEMBER, 2024

ORDER :

1. Both the Applications are by the original accused persons for quashing the First Information Report (for short "the FIR") vide Crime No.450 of 2022 registered with Gandhi Chowk Police Station, Latur, District-Latur for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the

Indian Penal Code. and the further proceedings arising out of the same.

2. As regards Criminal Application No.4511 of 2024 is concerned, learned APP waives notice for respondent No.1 and learned Advocate Mr. Sabnis waives notice for respondent No.2.

3. Leave to amend in Criminal Application No.4388 of 2023, to be carried out immediately.

4. In both the matters there is a compromise that has been arrived at and accordingly, respondent No.2 has filed affidavit. It also appears that the applicant – husband and respondent No.2 – wife have filed petition for divorce by mutual consent before the Family Court, Latur, wherein also it is accepted that the wife would give no objection for quashing of the FIR and the proceedings.

5. In view of the settlement so arrived at, we are of the opinion that it is a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure. Hence, we pass following order:-

ORDER

(II) Both the Applications stand allowed.

(II) The First Information Report vide Crime No.450 of 2022 registered with Gandhi Chowk Police Station, Latur, District-Latur and the proceedings arising therefrom i.e. R.C.C. No.1144 of 2023 pending before learned Judicial Magistrate, First Class, Latur for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, stands quashed and set aside as against all the applicants in both the applications, i.e. - Sunil Sudhakar Kulkarni, Sulekha Sudhakar Kulkarni and Sudhakar Keshavrao Kulkarni.

[ROHIT W. JOSHI]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/DECE24