



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 CRIMINAL APPLICATION NO.4519 OF 2024

- 1 Yogesh Shivilal Pawar,
Age 33 yrs., Occ. Private Service,
R/o Galli No.09, Nyay Nagar,
Garkheda Parisar,
Tq. & Dist. Chhatrapati Sambhajanagar.
- 2 Bharat Rajaram Rathod,
Age 33 yrs., Occ. Business,
R/o Galli No.09, Nyay Nagar,
Garkheda Parisar,
Tq. & Dist. Chhatrapati Sambhajanagar.
- 3 Sunil Rajaram Rathod,
Age 38 yrs., Occ. Agri.,
R/o Galli No.09, Nyay Nagar,
Garkheda Parisar,
Tq. & Dist. Chhatrapati Sambhajanagar.
- 4 Nitesh Shivilal Pawar,
Age 30 yrs., Occ. Private Service,
R/o Galli No.09, Nyay Nagar,
Garkheda Parisar,
Tq. & Dist. Chhatrapati Sambhajanagar.

... Applicants

... **Versus** ...

- 1 The State of Maharashtra
Through the Police Inspector,
Pundalik Nagar Police Station,
Tq. & Dist. Chhatrapati Sambhajanagar.
- 2 Ganesh Shivdas Rathod,
Age 41 yrs., Occ. Private Service,
R/o Prabhu Niwas, Plot No.10,

Near Sant Sevalal Mandir,
Beed Bypass Road,
Chhatrapati Sambhajinagar.

... **Respondents**

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Mr. P.V. Dhakne, Advocate for applicants

Mrs. Priya R. Bharaswadkar, APP for respondent No.1

...

AND

902 CRIMINAL APPLICATION NO.4521 OF 2024

- 1 Ganesh Shivdas Rathod,
Age 41 yrs., Occ. Private Service
R/o Prabhu Niwas, Plot No.10,
Near Sant Sevalal Mandir,
Beed Bypass Road,
Chhatrapati Sambhajinagar.
- 2 Saraswati w/o Shivdas Rathod,
Age 58 yrs., Occ. Housewife,
R/o Parundi Tanda, Tq. Paithan,
Dist. Chhatrapati Sambhajinagar.
- 3 Shivdas Ramji Rathod,
Age 63 yrs., Occ. Agri.,
R/o Parundi Tanda, Tq. Paithan,
Dist. Chhatrapati Sambhajinagar.
- 4 Nanda Manik Adhe,
Age 43 yrs., Occ. Household,
R/o Ghardun Tanda,
Tq. & Dist. Chhatrapati Sambhajinagar.
- 5 Dinesh Shivdas Rathod,
Age 39 yrs., Occ. Service,
R/o Police Colony, CP office,

Chhatrapati Sambhajinagar.

... **Applicants**

... **Versus** ...

- 1 The State of Maharashtra
Through the Police Inspector,
Pundalik Nagar Police Station,
Tq. & Dist. Chhatrapati Sambhajinagar.
- 2 Manisha w/o Ganesh Rathod,
Age 35 yrs., Occ. Government Service,
R/o Galli No.09, Nyay Nagar,
Garkheda Parisar,
Tq. & Dist. Chhatrapati Sambhajinagar.

... **Respondents**

...

Mr. A.N. Sabnis, Advocate for applicants

Mr. S.A. Gaikwad, APP for respondent No.1

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

DATE : 03rd DECEMBER, 2024

ORDER : (PER : SMT. VIBHA KANKANWADI, J.)

1 Both the applications have been filed for quashing First Information Report vide Crime No.336/2024 dated 27.08.2024 registered with Pundlik Nagar Police Station, Aurangabad for the offence punishable

under Sections 118(1), 115(2), 352, 351(3) and 3(5) of the Bhartiya Nyay Sanhita, 2023 and First Information Report vide Crime No.338/2024 dated 31.08.2024 registered with Pundlik Nagar Police Station, Aurangabad for the offence punishable under Sections 85, 351(2), 351(3), 352, 118(1), 3(5) of the Bhartiya Nyay Sanhita, 2023.

2 It is not in dispute that applicants from Criminal Application No.4521 of 2024 are the husband, mother-in-law, father-in-law, sister-in-law and brother-in-law of respondent No.2; whereas applicant Nos.1 and 4 are brothers-in-law of respondent No.2, and applicant Nos.2 and 3 are brothers-in-law of applicant No.1 in Criminal Application No.4519 of 2024. Applicant Ganesh got married to respondent No.2 on 04.05.2007. They are blessed with son aged 15 and daughter aged 01 out of said wedlock.

3 The parties have settled their dispute and they have filed compromise terms. Pursuant to our order dated 19.11.2024 applicant No.1 Ganesh and respondent No.2 – informant appeared before learned Registrar (Judicial). Respondent No.2 especially has admitted the terms of consent stated in the compromise deed. She has no objection for quashing both First Information Reports.

4 In view of the fact that the compromise has arrived at and the

fact that both First Information Reports are arising out of matrimonial disputes, we have no hesitation in exercising our powers under Section 482 of the Code of Criminal Procedure. Hence, following order.

ORDER

- i) Both Criminal Applications stand allowed.
- ii) First Information Report vide Crime No.336/2024 dated 27.08.2024 registered with Pundlik Nagar Police Station, Aurangabad for the offence punishable under Sections 118(1), 115(2), 352, 351(3) and 3(5) of the Bhartiya Nyay Sanhita, 2023 and First Information Report vide Crime No.338/2024 dated 31.08.2024 registered with Pundlik Nagar Police Station, Aurangabad for the offence punishable under Sections 85, 351(2), 351(3), 352, 118(1), 3(5) of the Bhartiya Nyay Sanhita, 2023 stand quashed and set aside as against applicants in both applications.

(ROHIT W. JOSHI, J.)

(SMT. VIBHA KANKANWADI, J.)