

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

CRIMINAL APPLICATION NO. 332 OF 2023

Karan Raghunath Hogade And Ors. ...Applicants

Versus

The State Of Maharashtra And Anr. ...Respondents

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Mr. Gaurav Shenoy i/by Mr. Misbah Solkar, Advocate for the Petitioners.

Ms. K. T. Hivrale, APP for the Respondent – State.

Mr. Ganesh Desai a/w Mr. Amol Suryawanshi, Advocate for Respondent No.2.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.
DATE : 28th MARCH, 2024.**

P.C.:

1. The Applicants are challenging the proceedings in R.C.C. No.8 of 2023 pending before the Court of J.M.F.C. Vita which is arising out of First Information Report (for short 'FIR') dated 18th October, 2022 registered with Vita Police Station, District Sangli vide C.R. No.508 of 2022 for offence under Sections 498-A, 323, 504, 506 r/w 34 of Indian Penal Code (for short 'IPC'). The FIR was registered at the instance of Respondent No.2.

2. The Applicant No.1 is the husband, Applicant No.2 is the

father-in-law, Applicant No.3 is the mother-in-law and Applicant No.4 is the sister-in-law of Respondent No.2. The marriage between Respondent No.2 and Applicant No.1 was solemnized on 13th May, 2021. The complainant had alleged that pursuant to the marriage she was illtreated resulting in physical and mental cruelty.

3. The parties have resolved the dispute. The Applicant No.1 and Respondent No.2 has filed the proceedings for dissolution of marriage before Civil Judge, Senior Division at Vita. The marriage is sought to be dissolved by mutual consent. The said Petition is pending. It is agreed that an amount of Rs.2,00,000/- to be paid by Applicant No.1 to Respondent No.2 towards permanent alimony at the time of final decree passed in the Petition for divorce.

4. The Applicant No.1 and Respondent No.2 are present in the Court. Respondent No.2 has no objection for quashing the impugned proceedings. She has filed affidavit. She is represented by Advocate. The affidavit indicates that she does not want to proceed with the matter and ready to withdraw the allegations/complaints. The affidavit further mentions that the Petition under Section 13-B of Hindu Marriage Act for dissolution of marriage is filed before the concerned Court and that as per the

terms of settlement the Applicant No.1 has to give Rs.2,00,000/- to Respondent No.2. The affidavit is taken on record.

5. The proceedings arise out matrimonial discord between the parties. Parties have resolved the differences and as a part of consent terms the Respondent No.2 has no objection for quashing the impugned proceedings.

ORDER

- i. Criminal Application No.332 of 2023 is allowed;
- ii. The proceedings in R.C.C. No.8 of 2023 pending before the Court of J.M.F.C. Vita arising out of FIR dated 18th October, 2022 registered with Vita Police Station, District Sangli vide C.R. No.508 of 2022 are quashed and set aside.
- iii. Application stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)