

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

CRIMINAL APPLICATION NO. 1057 OF 2024

Ramchandra Prabhakar Kharat & Ors. ..Applicants
Versus
The State of Maharashtra & Anr. ..Respondents

**WITH
CRIMINAL APPLICATION NO. 309 OF 2024**

Dipika Vijay Kothambire & Ors. ..Applicants
Versus
The State of Maharashtra & Anr. ..Respondents

**WITH
CRIMINAL APPLICATION NO. 308 OF 2024**

Ruchika Vinod Tigdi ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Jyotiram S. Yadav for Applicants in all applications.

Mr. Anand S. Shalgaokar, APP for State/Respondent.

Ms. Mrunmayi R. Khambete for Respondent No.2 in all APLs.

**CORAM : SARANG V. KOTWAL &
DR. NEELA GOKHALE, JJ.**

DATE : 23 OCTOBER 2024

PC :

1. All these three applications are decided by this common order because they arise out of the same registered offence and the same investigation. The Applicants in all these applications are seeking quashing of the F.I.R. registered vide the C.R.No.570 of 2023 at Satana police station, Nashik Rural, dated 15.10.2023, under sections 498-A, 323, 504, 506 and 406 r/w. 34 of the I.P.C. and resultant trial pending before the J.M.F.C., Satana vide R.C.C.No.76 of 2024. As can be seen, the investigation is over and the charge-sheet is already filed.

2. Heard Mr. Jyotiram Yadav, learned counsel for the Applicants in all applications, Mr. Anand Shalgaokar, learned APP for the State/Respondent and Ms. Mrunmayi Khambete, learned counsel for the Respondent No.2 in all applications.

3. The Applicants in Criminal Application No.1057 of 2024 are the husband of the Respondent No.2 and his parents. The applicant in Criminal Application No.308 of 2024 is a friend of the Respondent No.2's husband. The applicants in Criminal

Application No.309 of 2024 are the three sisters and husbands of two sisters and the applicant No.6 is the husband's uncle.

4. The allegations in the F.I.R. alleged by the Respondent No.2 are that, she got married with the applicant Ramchandra on 06.11.2022. Her father had spent for the expenses during the wedding. After the marriage, she started residing at her matrimonial house. The family members were consisting of her husband's parents, sister in law Dipika, her husband Vijay and younger sister in law Jyoti. Initially, the informant was treated properly, but within a short period, the husband started illtreating her on the ground that sufficient ornaments and money was not given by her father. The allegations in the F.I.R. against others are of similar nature. In particular, it is alleged that all of them instigated the Respondent No.2's husband to illtreat her. There is an allegation that the applicant in Criminal Application No.308 of 2024 had accompanied the informant's husband on a trip and according to the first informant they were in a relationship. In spite of that the informant was continuously harassed. She was not given proper food. She was abused and assaulted. There are

allegations that her husband used to doubt her character. All of them demanded Rs.50 lakhs for further education of the applicant Ramchandra i.e. informant's husband. On these allegations the F.I.R. was lodged. The investigation was carried out. The informant gave her supplementary statement, in which, she has given further details as to how her husband used to doubt her character and used to assault her. There are other statements of her parents, aunt, uncle and friends of the first informant supporting her allegations.

5. During the pendency of this prosecution, the matter is now settled between the parties and the Respondent No.2 has filed three separate affidavits in these three separate applications. In all these affidavits, she has stated that the matter is amicably settled between the parties and she has decided to go her separate way and to obtain decree of divorce from her husband U/s.13B of the Hindu Marriage Act and that she did not want to proceed with the complaint/F.I.R. She has no objection if the said F.I.R. and the resultant case are quashed and set aside. The Respondent No.2 is present in the Court with her father. She is identified by her

learned counsel. She firmly stated before the Court that she did not wish to continue with the prosecution of this case. She wants to lead her future life peacefully and she is interested in getting the matter quashed for her own sake.

6. Considering her firm stand and specific no objection given by her for quashing the F.I.R. and the resultant trial, we are inclined to allow these applications.

7. Hence, the following order:

ORDER

- i) The F.I.R. registered vide the C.R.No.570 of 2023 at Satana police station, Nashik Rural, dated 15.10.2023, under sections 498-A, 323, 504, 506 and 406 r/w. 34 of the I.P.C. and resultant trial pending before the J.M.F.C., Satana vide R.C.C.No.76 of 2024, are quashed and set aside.
- ii) All the Applications are disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)