

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

CRIMINAL APPLICATION NO. 1589 OF 2024

Karan Ashok Satpute & Ors.

..Applicants

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Hrishi Ghorpade a/w. Abhijeet Arote i/b. Siddharth Sutaria for Applicants.

Ms. M. H. Mhatre, APP for State/Respondent.

Ms. Tanvi Tapkire for Respondent No.2.

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

DATE : 13 NOVEMBER 2024

PC :

1. Leave to amend to mention the criminal proceedings pending before the J.M.F.C. Court, Pune, in the prayer clause.

Amendment to be carried out forthwith.

2. The Applicants seek quashing of the R.C.C.No.1976 of 2024 pending before the J.M.F.C. Court, Pune, arising out of the C.R.No.176 of 2023 registered with Vishrambag police station, for the offences punishable under sections 498A, 323, 504 and 506 r/w. 34 of the I.P.C.

3. The Applicant No.1 is the husband of the Respondent No.2 informant/wife. The Applicant Nos.2 and 3 are her parents in law and the Applicant Nos.4 to 7 are married sisters of the Applicant No.1. The allegations of the Respondent No.2/wife in the F.I.R. are that the Applicants have treated her with cruelty and have harassed her. She has stated that the applicants were constantly demanding that she should get money from her parents. When she showed her inability to do so, she was harassed and illtreated. Especially, married sisters of the Applicant No.1 used to interfere in her marital life, constantly demanding that she should do the entire household work single-handedly and only after completion of the work in the house she was permitted to have her meals.

4. On 03.03.2020, she suffered from high blood pressure. The Applicants compelled her to undergo C.T. Scan for the said minor illness. Whenever, the applicants made demands of ornaments and cash to be brought by her from her parents, they were in the habit of calling her parents and abusing them in filthy language. Due to all these illtreatments meted out to her, there was marital discord

between the parties; which led to the filing of the present impugned F.I.R.

5. Learned counsel for the applicants states that the charge-sheet has been filed and the charges have been framed by the competent Court.

6. The statements of the parents of the Respondent No.2 and her uncles are annexed to the charge-sheet. The statements corroborates the allegations made by the Respondent No.2 in the F.I.R. It is pertinent to note that the Respondent No.2 suffers from psychological trauma and she has been treated for the same.

7. According to the learned counsel for the Respondent No.2, prolonging the marital tie between the parties is increasing the mental trauma of the Respondent No.2. In these circumstances, the Respondent No.2 is desirous of ending the marital tie by withdrawing all the proceedings pending against the applicants related to the matrimonial relationship between the parties.

8. Pursuant to her desire to end the marital tie, the Respondent No.2 has filed her affidavit dated 13.11.2024 affirmed before the

Notary Public. In paragraph-3 of the said affidavit, the Respondent No.2 has given her consent to quash the present F.I.R. and the proceedings culminated therefrom. She has also stated that the applicants have deposited an amount of Rs.8 lakhs in the Family Court, Pune towards the permanent alimony and maintenance to her. She also submits that she is entitled to withdraw the said amount from the Family Court, Pune on the date of moving the petition U/s.13B of the Hindu Marriage Act, 1955.

9. The Respondent No.2 is present in the Court today. She is identified by her counsel. She reiterates the averments made by her in her affidavit. In these circumstances, considering that the nature of the dispute is entirely personal and does not affect any member of the society, we are inclined to quash the criminal proceedings culminated from the F.I.R. In Criminal Application No.978 of 2024 - Rushik Rajendra Shah & Ors. Versus Ruchika Rushik Shah & Anr., decided on 13.11.2024 we have already held that in the given circumstances, considering the exigency existing between the parties in the appropriate case, this Court, U/s.482 of the Cr.p.c., as well as, under Article 226 of the Constitution of

India has jurisdiction to quash the proceedings even after the charges have been framed, if the parties have amicably settled the dispute and if it is in the interest of the parties that the proceedings are quashed. Recording of the evidence is not yet started. The charges framed are not challenged on merits.

10. In view of the fact that the Respondent No.2 has given her affidavit and has specifically mentioned her desire to end the marital tie for the reasons specified in the affidavit, we have no hesitation in quashing the aforesaid criminal proceedings arising out of the aforesaid F.I.R.

11. Hence, the following order:

O R D E R

- i) The R.C.C.No.1976 of 2024 pending before the J.M.F.C. Court, Pune, arising out of the C.R.No.176 of 2023 registered with Vishrambag police station, Pune, are quashed and set aside.
- ii) The Application is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)