

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

CRIMINAL APPLICATION NO. 1687 OF 2024

Prashant Shivaji Pawar & Ors.

..Applicants

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Nilesh Khanvilkar a/w. Shailesh Salvi for Applicants.

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

Ms. Priya Maurya i/b. Arti Deshmukh for Respondent No.2.

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

DATE : 4 DECEMBER 2024

PC :

1. The petitioners seek quashing of the F.I.R. registered vide the C.R.No.777 of 2021 dated 10.11.2021, at Oshiwara police station, for the offences punishable under sections 498A, 406, 354A, 323, 504 and 506 r/w. 34 of the I.P.C.

2. The Petitioner No.1 is the husband of the Respondent No.2. The Petitioner No.2 is her father in law. The Petitioner No.3 is her brother in law. The petitioner No.4 is the mother in law of the Respondent No.2 and the Petitioner No.5 is the wife of the

petitioner No.3.

3. The Respondent No.2 has alleged in the F.I.R. that she was treated with cruelty by the petitioners. She has given a list of valuable ornaments and the household items which her parents have gifted to the petitioners at the time of her marriage. She alleged in the F.I.R. that the cruelty inflicted upon her by the petitioners went to such an extent that on one occasion the petitioner No.1 dragged her on the terrace and threatened her to throw her off. He always suspected her character and also expressed doubt about the paternity of the his child when the Respondent No.2 was pregnant. She has made other allegations against her father in law and the brother in law in respect of outraging her modesty. Because of this illtreatment, she was compelled to file the F.I.R. which is impugned herein.

4. The investigation was completed and the charge-sheet came to be filed. However, during the pendency of the criminal proceedings, there was an amicable settlement between the parties. The parties have decided to resolve their dispute amicably.

The Respondent No.2 is present in the Court and she is identified by her learned counsel. She has filed an Affidavit giving her no objection for quashing of the present F.I.R. and the resulted criminal proceedings. She reiterated the averments made by her in the Affidavit. Considering the nature of dispute is personal in nature and not affecting the society at large, we are inclined to quash the F.I.R. and the criminal proceedings resulted therefrom.

5. Hence, the following order:

ORDER

- i) The F.I.R. registered vide the C.R.No.777 of 2021 dated 10.11.2021, at Oshiwara police station, for the offences punishable under sections 498A, 406, 354A, 323, 504 and 506 r/w. 34 of the I.P.C. is quashed and set aside.
- ii) The Petitioner shall pay a cost of Rs.20000/- for setting the police machinery in motion and the efforts that the investigating agency has put in for investigating the matter.
- iii) The cost shall be paid to the Central Police Welfare Fund within a period of four weeks from

the date of uploading of present order on the official website of the High Court of Bombay.

1. Details of the bank account for payment of cost are as under:

Bank Name : Axis Bank Limited.

Branch Name : Worli, Mumbai (H.H.)
Mumbai-400025

Account Name : Central Police Welfare Fund

Account No. : 914010029005759

IFSC Code : UTIB0000060

- iv) The petitioner to deposit the said cost of Rs.20000/- within stipulated period as noted above and submit receipt of the same in the Registry of this Court.
- v) It is made clear that, if the cost is not paid by the petitioner within stipulated period as mentioned above, the petition shall be placed before this Court for further consideration on 29.01.2025. If the cost is paid then there shall be no further reference to the Court.
- vi) The application is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)