



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

935 CRIMINAL APPLICATION NO. 131 OF 2020

AKSHAY S/O. VASUDEO CHANDRAS AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANR

...

Mr. Joshi Rahul G., Advocate for Applicants

Mr. N. S. Tekale, APP for Respondent-State

Mr. A. S. Deshpande, Advocate for Respondent No.2

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**CORAM : SANDIPKUMAR C. MORE AND
MEHROZ K. PATHAN, JJ.**

DATED : 10/10/2025.

P. C. :

1. Learned counsel for the applicants submits that applicant No.2 is no more and has died during pendency of this application and undertakes to produce on record a copy of his death certificate.

2. The applicants are seeking quashment of FIR No.243 of 2019 dated 22/03/2019, registered with MIDC Waluj Police Station, Aurangabad, for the offences punishable under Sections 323, 504, 506, 498-A read with Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act. However, during the pendency of this application, an amicable settlement has taken place between applicant No.1 – husband and respondent No.2 – wife. The settlement terms have been placed on record and are marked as “X” for identification. The matter was referred to the learned Registrar (Judicial) of this Court for verification. The Registrar has submitted a report dated 03/10/2025, stating that the parties have voluntarily entered into the compromise and have admitted the contents thereof.

3. On perusal of the said consent terms, it appears that applicant No.1 – husband, in view of the settlement, has agreed to pay a permanent alimony of Rs.9,85,000/- to respondent No.2 – wife. Out of this amount, Rs.1,85,000/- has already been paid on 28/08/2024 through account transfer. The remaining amount is agreed to be paid by applicant No.1 to respondent No.2 before the Court of the learned Civil Judge (Senior Division), Aurangabad, where Divorce Petition bearing HMP No.171 of 2024, filed by the parties for divorce by mutual consent, is pending. Respondent No.2 has also agreed to cooperate with the applicants in allowing the present criminal application. It is further noted that respondent No.2 has withdrawn Criminal M.A. No.1985 of 2019 from the Court of the learned Judicial Magistrate (First Class), which was filed for grant of maintenance.

4. In light of the above settlement, we are of the considered opinion that the parties have amicably resolved their disputes and continuation of the proceedings arising out of the aforementioned FIR would amount to an abuse of the process of law. Accordingly, the application is allowed and the proceedings in RCC No.2430 of 2019 arising out of FIR No.243 of 2019 dated 22/03/2019 registered with MIDC Waluj Police Station, Aurangabad, and Chargesheet No.165 of 2019 dated 30/07/2019, stand quashed and set aside.

5. Accordingly, the application stands disposed of.

(MEHROZ K. PATHAN, J.)

(SANDIPKUMAR C. MORE , J.)