



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 CRIMINAL APPLICATION NO.1976 OF 2023

1. Minabai w/o Apparao Shinde
Age: 51 years, Occu.: Housewife,
Residint at : Building No.216/1790,
Near Datta Mandir, Sant Tukaram
Nagar, Pimpri, Pune-411 018
2. Apparao s/o Shankar Shinde
Age: 63 years, Occu.: Labour,
Residint at: Building NO.216/1790,
Near Datta Mandir,
Sant Tukaram Nagar, Pimpri,
Pune – 411 018
3. Rekha w/o Vinayak Ghude
Age: 30 years, Occu.: Housewife,
Residing at : Building No.216/1790,
Near Datta Mandir, Sant Tukaram
Nagar, Pimpri, Pune – 411018
4. Shalan w/o Dharmraj Samukhrao
Age: 33 years, Occu.: Housewife,
Building No.216/1790, Near Datta
Mandir, Sant Tukaram Nagar,
Pimpri, Pune – 411018
5. Vinayak s/o Dattatray Ghude
Age: 37 years, Occu.: Service,
Building No.216/1790, Near Datta
Mandir, Sant Tukaram Nagar,
Pimpri, Pune – 411018.

.. Applicants

Versus

1. The State of Maharashtra
Through the Superintendent of Police,
District Latur.
2. The Senior Police Inspector,
Chakur Police Station,
Taluka Chakur, District Latur.

3. Sonali w/o Laxman Shinde
Age: 27 years, Occu.: Housewife,
Residing presently at At post Janwal,
Tq. Chakur, Dist. Latur.

.. Respondents

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Mr. Shritej Surve h/f Mr. Amit A. Yadkikar, Advocate for Applicants.
Mrs. R. P. Gour, APP for Respondent Nos.1 and 2/State.
Mr. V. M. Vibhute, Advocate for Respondent No.3 (Appointed Through Legal Aid).

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**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

DATE : 14 JULY 2025

ORDER :

. Today, learned Advocate Mr. Shritej Surve holding for learned Advocate Mr. Amit A. Yadkikar submits that he has instructions to withdraw the application.

2. We had substantially heard the matter on 11.07.2025 and we had shown disinclination to grant any relief to the applicants. However, on the request of learned Advocate for the applicants, we adjourned the matter, as he wanted to have last word with his client regarding the compromise and, therefore, the matter was kept today.

3. The case has peculiar facts. Respondent No.3 has filed FIR vide Crime No.462 of 2022 on 21.12.2022 with Chakur Police Station, Taluka Chakur, District Latur for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code. In the FIR itself

it is stated that her husband expired on 13.02.2020 and the harassment by the relatives of the husband is stated to be after the death of her husband. Now, the present position is that even respondent No.3 has expired leaving behind two minor children, who are with the parents of respondent No.3. No doubt, we take note of the fact that the learned Advocate for the applicants wanted to have word with the applicants in order to help out the minor children and wanted to seek the instructions as to whether they are ready for some lump sum amount to be given, however, now, he submits that the applicants are not ready and they wanted to withdraw the application.

4. The applicants have taken unnecessary time of this Court. If they are under impression that since even the informant has expired they will get an acquittal, then they might have been ill advised by somebody. The matter may proceed, as we could see from the charge-sheet that there are witnesses, who had experienced the harassment. Of course, this is our *prima facie* opinion, under such circumstance, while allowing the withdrawal of the application, we are imposing cost on the applicants.

5. The application stands disposed of as withdrawn.

6. Applicants to deposit cost of Rs.25,000/- in this Court within a period of one week from today.

7. Upon the deposit of the said amount, it be given to the minor children of respondent No.3 equally.

8. We make it clear that if the said amount is not deposited, then the recovery proceedings be initiated by the learned Judicial Magistrate First Class, before whom the case is pending.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm