



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

904 CRIMINAL APPLICATION NO. 2045 OF 2025

1. Dinesh S/o. Prakash Loharekar,
Age : 37 Years, Occu. : Private Service,
R/o. Shree Nagar, Latur,
Tq. & Dist. Latur.
2. Jyoti W/o. Prakash Loharekar,
Age : 60 Years, Occu. : Household,
R/o. Shree Nagar, Latur,
Tq. & Dist. Latur.
3. Prakash S/o. Narayan Loharekar,
Age : 62 Years, Occu. : Agri.,
R/o. Shree Nagar, Latur,
Tq. & Dist. Latur.

.... Applicants

VERSUS

1. The State of Maharashtra,
Through Police Inspector,
MIDC Police Station,
Latur, Tq. & Dist. Latur.
2. Kiran W/o. Dinesh Loharekar,
Age : 35 Years, Occu. : Service,
R/o. Shree Nagar, Latur,
Tq. & Dist. Latur.
At present R/o. Parshuram Park,
Barshi Road, Latur.

.... Respondents

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Advocate for Applicants : Mr. Anup Mane h/f Mr. Shailendra S.
Gangakhedkar

APP for Respondent No.1-State : Mr. V.K. Kotecha

Advocate for Respondent No.2 : Mr. Ramrao Nirmal

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

Dated : 31st July 2025

PER COURT :-

1. Heard learned Advocate for the applicants as well as learned Advocate for respondent No.2.

2. A statement was made by the learned Advocate for the applicants that applicant No.1 and respondent No.2 have filed a petition for divorce by mutual consent. Learned Advocate for the applicants was allowed to place the compromise on record. Accordingly, he has produced the decree under the petition under Section 13-B of the Hindu Marriage Act i.e. Petition F No.103 of 2025, before the learned Family Court, Latur, dated 26.06.2025.

3. In view of the settlement/compromise, the marriage between the present applicant No.1 and respondent No.2 was dissolved. In that judgment, a statement has been recorded that both the applicants i.e. husband and wife have decided to withdraw the cases those have been filed by them against each other. Of course, there is no specific statement that respondent No.2 had agreed to withdraw the cases as against applicant Nos.2 and 3 i.e. parents-in-law. Yet, taking into consideration the tenor, it can be stated that she has no desire to go ahead with the present FIR in view of the said compromise.

4. As aforesaid, as against applicant No.1, there is specific statement and in respect of in-laws are concerned, even on merits, it can be seen that after the marriage on 13.12.2021, she states that she was treated properly for about four months and then, in March 2022, she as well as applicant No.1/husband went to stay at Pune. Applicant Nos.2 and 3 were residing at Latur. Then, as against them, she states that they used to visit Pune occasionally and used to instigate the husband. Occasional visits of the parties cannot amount to harassment or cruelty as defined or contemplated under Section 498-A of IPC. Therefore, on both the grounds, we are of the opinion that a case is made out for quashment of the FIR. Hence, we pass following order.

ORDER

- I) The application stands allowed.
- II) The First Information Report vide C.R. No.0225 of 2025, registered with MIDC Police Station, Latur, dated 22.03.2025, for the offences punishable under Sections 85, 115, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, stands quashed and set-aside as against the present applicants.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE