

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

34 CRIMINAL APPLICATION NO. 3482 OF 2023

ANIKET HARIHARRAO JOSHI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. H.V. Tungar, Advocate for the applicants.
Mr. A.V. Lavate, A.P.P. for respondent No.1-State.

...

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

DATED : 6 OCTOBER 2025

Per Court :

1. Vide order dated 22 April 2025, this court had directed the Secretary, District Legal Services Authority, Beed to act as a Mediator in this matter. Accordingly learned Secretary, DLSA, Beed has submitted report alongwith compromise terms between the parties mentioning that the parties have settled the matter as per those compromise terms. The said mediation report is taken on record and marked 'X' for identification, which is verified by DLSA, Beed. The consent terms are accepted by the parties.

2. Learned counsel for the applicants also placed on record certified copy of judgment dated 16.07.2025 passed by Family Court, Beed in Petition F-53/2025 whereby the marriage between present applicant No.1 and respondent No.2 has been

dissolved by mutual consent from the date of judgment. The same is taken on record and marked 'X-1' for identification. He also produced on record status report in respect of Cri.M.A. No. 519 of 2022 and Cri. M.A. No. 520/2022 obtained from the official website of the District Court, Beed. The same is taken on record and marked 'X-2' for identification.

3. On going through the consent terms between the parties, which are verified by DLSA, Beed, it is evident that the applicants and respondent No.2 have settled the dispute between themselves amicably. It is agreed that applicant No.1/husband to give an amount of Rs. 14,50,000/- towards her permanent alimony. It is also settled between them that respondent No.2 would withdraw Cri.M.A. No. 519 of 2022 and Cri. M.A. No. 520/2022 filed by her in concerned court of J.M.F.C. Georai. They have decided to file application for divorce by mutual consent.

4. On going through the judgment dated 16.07.2025 in Petition F-53/2025, it is evident that marriage between applicant No.1 and respondent No.2 has been dissolved from 16.07.2025. It is also mentioned in the said judgment that applicant No.1/husband has already deposited the amount of permanent alimony of Rs. 14,50,000/- in the account of respondent No.2/wife. Further, from the status report it is

evident that respondent No.2 has withdrawn criminal proceedings bearing Cri.M.A. No. 519 of 2022 and Cri. M.A. No. 520/2022 on 06.05.2025. Thus, it clearly appears that the parties have already acted upon the consent terms.

5. Applicant No.1/husband is personally present before the Court and made statement that he had requested respondent No.2/wife to attend the court today itself for which she showed her inability. Be that as it may, compromise terms identified as 'X' are already acted upon. Therefore, continuation of criminal proceeding between the parties would be an abuse of process of law. In view of the same, present application stands allowed in terms of prayer clause (B) and FIR of Crime No.0139/2022 registered with Chaklamba police station, Taluka Georai, District Beed for the offence under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and consequent criminal proceeding bearing R.C.C. No. 412/2022 pending in the court of Judicial Magistrate, First Class at Georai, are quashed and set aside.

6. Application is disposed of accordingly.

(MEHROZ K. PATHAN)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE