

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1780 OF 2024

ANIKET RAVINDRA JAMODE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Petitioners : Mr. Ganesh Jadhav
APP for Respondent/State: Mrs. Bharati B. Gunjal
Advocate for Respondent No.2 : Mr. Girish V. Wani

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**CORAM : SANDIPKUMAR C. MORE AND
Y.G. KHOBRAGADE, JJ.**

DATED : NOVEMBER 25, 2025

ORDER:-

1. By way of this petition, the petitioners are seeking quashment of F.I.R No. 426 of 2024, registered with Chalisgaon Police Station, District Jalgaon on 29.09.2024 under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code. They have also prayed for quashment of charge sheet and proceedings bearing Regular Criminal Case No. 114 of 2025 pending in the Court of learned Judicial Magistrate, First Class, Chalisgaon along with the cognizance order dated 24.03.2025, arising out of the aforesaid F.I.R.

2. However, during the pendency of this petition, compromise took place between petitioner No.1-husband and respondent No.2-wife. Pursuant to that compromise, both of them have also filed Petition No. F-352 of 2025 in the Family Court, Pune

for grant of decree of divorce by mutual consent as per Section 13(B) of the Hindu Marriage Act, 1955. Additionally, respondent No.2-wife, who is present before this Court, has also filed affidavit-in-reply in the present petition, mentioning the fact of filing the aforesaid petition for divorce. According to her, she has already received all her '*stridhan*' and necessary documents, and nothing is now remained with the petitioners. She has specifically stated that, she has now amicably settled her differences with the petitioners and now she does not want to proceed with the aforesaid criminal proceedings against the petitioners. Thus, she submitted her 'No Objection' for allowing the prayers of this Writ Petition.

3. Respondent No.2 has also produced before this Court, the copy of Petition No. F-352 of 2025, presently pending in the Family Court, Pune. On going through the contents of the said petition, it appears that, petitioner No.1 and respondent No.2 have decided to end their dispute and to reside separately. Further, it appears that, petitioner No.1 has agreed to pay the amount of Rs. 6,75,000/- (Rs. Six Lakhs Seventy Five Thousand) towards future maintenance of respondent No.2 as one time settlement. Though, it was agreed in the petition itself that the said amount is to be paid to respondent No.2 in her earlier name *Kalyani Kiran Bawiskar* under Demand Draft No. 118, drawn on H.D.F.C. Bank, Branch Anandnagar, Pune, but it

appears that, the said Demand Draft is dated 27.02.2025 and it is now time barred. Under such circumstances, petitioner No.1 is now under an obligation to pay the aforesaid amount of Rs. 6,75,000/- to respondent No.2 in her earlier name before the marriage, by drawing fresh Demand Draft to that effect and that is to be paid before the learned Judge, Family Court, Pune at the time of filing joint or separate affidavits in support of their claim. The learned counsel for the petitioners submits that, petitioner No.1, who is also present before this Court through video conferencing, would act accordingly.

4. Thus, it appears that, the petitioners and respondent No.2 have settled their *inter se* dispute amicably as stated above, and therefore, continuation of the present proceeding against the petitioners would be an abuse of process of law and also exercise in futility. In view of the same, following order :-

ORDER

- (I) The petition stands allowed.
- (II) The F.I.R. No. 426 of 2024, registered with Chalisgaon Police Station, District Jalgaon on 29.09.2024 under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and the charge sheet and proceeding bearing Regular Criminal Case No. 114 of 2025 pending in the Court of learned Judicial Magistrate, First Class, Chalisgaon, District Jalgaon are quashed

and set aside.

- (III) Petitioner No.1 to pay the aforesaid amount of Rs. 6,75,000/- (Rupees Six Lakh Seventy Five Thousand) to respondent No.2 in her earlier name before the marriage i.e. *Kalyani Kiran Bawiskar*, by drawing fresh Demand Draft to that effect before the learned Family Court Judge, Pune at the time of filing joint or separate affidavits in support of their claim.

5. The petition stands disposed of.

(Y.G. KHOBRAGADE)
JUDGE

YSK/

(SANDIPKUMAR C. MORE)
JUDGE