



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 CRIMINAL APPLICATION NO.2952 OF 2021

- 1 Annarao Kishanrao Somwanshi,
Age 60 yrs., Occ. Household,
Permanent r/o Vijay Nanda Apartment,
Barshi Road, Latur, Tq. & Dist. Latur.
- 2 Kusum w/o Annarao Somwanshi,
Age 53 yrs., Occ. Household,
Permanent r/o Vijay Nanda Apartment,
Barshi Road, Latur, Tq. & Dist. Latur.
- 3 Jyoti d/o Annarao Somwanshi @
Jyoti w/o Dagadusaheb Shinde,
Age 33 yrs., Occ. Govt. Teacher,
Permanent r/o Mendali Kond,
Tq. Masala, Dist. Raigad.
- 4 Dagadusaheb Harishchandra Shinde,
Age 35 yrs., Occ. Govt. Teacher,
Permanent r/o Waral, Tq. Masala,
Dist. Raigad.

... Applicants

... **Versus** ...

- 1 The State of Maharashtra
Through Police Inspector,
Police Station, Kandhar,
Tq. Kandhar, Dist. Nanded.
- 2 Madhuri w/o Sachin Somwanshi @
Madhuri d/o Namdevrao Wadje (Patil),
Age 33 yrs., Occ. Business,
Permanent r/o At Masalga, Post Tembhurni,
Tq. Kandhar, Dist. Nanded.

... Respondents

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Mr. A.A. Yadkikar, Advocate h/f Mr. C.V. Sheth, Advocate for applicants

Mr. A.D. Wange, APP for respondent No.1

Mr. S.S. Jawale, Advocate h/f Mr. P.S. Koshti, Advocates for respondent No.2

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

DATE : 03rd MARCH, 2025

ORDER : (PER : SMT. VIBHA KANKANWADI, J.)

1 Present application has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing First Information Report vide Crime No.273/2021 dated 03.08.2021 registered with Police Station, Kandhar, Tq. Kandhar, Dist. Nanded, for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. A.A. Yadkikar holding for learned Advocate Mr. C.V. Sheth for applicants, learned APP Mr. A.D. Wange for respondent No.1 and learned Advocate Mr. S.S. Jawale holding for learned Advocate Mr. P.S. Koshti for respondent No.2. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 At the outset, it is to be noted that when disinclination was shown to grant any relief to applicant No.1, learned Advocate for applicants sought leave to withdraw the application of applicant No.1. Accordingly, by order dated 15.02.2022, application of applicant No.1 came to be dismissed as withdrawn and application proceeded for the reliefs claimed on behalf of applicant Nos.2 to 4. However, it appears that later on compromise has been taken place between present applicant No.1 and respondent No.2 and accordingly, Criminal Application No.4836 of 2024 filed by present applicant No.1 and another came to be allowed by order dated 12.12.2024 and thereby the proceedings has been quashed and set aside as against present applicant No.1.

4 So far as applicant No.2 is concerned, she is mother-in-law of respondent No.2 – informant. Applicant No.3 is married sister-in-law of respondent No.2 and applicant No.4 is husband of applicant No.3. Applicant Nos.3 and 4 are residing at a distant place than the matrimonial house of informant. It has been alleged that all the applicants were harassing informant on the count that she was not able to cook proper food and that no dowry was given by father of informant. Thus, perusal of First Information Report would show that there are general and vague allegations and no specific act has been attributed against applicant Nos.2 to 4. Even otherwise,

compromise had been taken place between applicant No.1 and respondent No.2 and, therefore, we find that this is a fit case where we should exercise our powers under Section 482 of the Code of Criminal Procedure for quashing the proceedings as against applicant Nos.2 to 4. Hence, following order.

ORDER

- i) Criminal Application stands allowed.
- ii) The proceedings in Regular Criminal Case No.52 of 2022 pending before learned Judicial Magistrate First Class, Kandhar, Dist. Nanded, arising out of First Information Report vide Crime No.273/2021 dated 03.08.2021 registered with Police Station, Kandhar, Tq. Kandhar, Dist. Nanded, for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, 1860, stands quashed and set aside as against applicant Nos.2) **Kusum w/o Annarao Somwanshi**, 3) **Jyoti d/o Annarao Somwanshi @ Jyoti w/o Dagadusaheb Shinde** and 4) **Dagadusaheb Harishchandra Shinde**.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

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