



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 CRIMINAL APPLICATION NO.4417 OF 2024

1 Kaustubh Gopalrao Kulkarni,
Age 34 yrs., Occ. Service,
R/o G-905, Rosehood Apartments,
Roseland Residency, Pimple Saudagar,
Pimpri-Chinchwad, Pune.

2 Gopalrao Narayanrao Kulkarni,
Age 66 yrs., Occ. Agri.,

3 Sow. Shamla w/o Gopalrao Kulkarni,
Age 64 yrs., Occ. Household,

Applicant Nos.2 and 3 are
r/o Gangai Vasahat F-3,
Behind COCSIT College, Ambejogai road,
Renuka Nagar, Latur,
Tq. & Dist. Latur.

4 Sow. Ketaki w/o Vishal Pawar,
Age 30 yrs., Occ. Service,

5 Vishal Bhaskar Pawar,
Age 32 yrs., Occ. Service,

Applicant Nos.4 and 5 are
r/o Flat No.1007,
Divine Dazzle Apartment,
Krishna Colony, Rahatani,
Pune – 411 017.

... Applicants

... Versus ...

1 The State of Maharashtra
Through Police Inspector,
Sadar Bazar Police Station, Jalna,

Tq. & Dist. Jalna.

2 Suchita w/o Kaustubh Kulkarni @
Suchita d/o Sunil Joshi,
Age 30 yrs., Occ. Service,

R/o C/o Sunil Kisanrao Joshi,
Moreshwar Building, Plot No.11,
Amey Nagar, Behind B & C Quarter,
Parbhani, Tq. & Dist. Parbhani.

At present R/o C/o Sanjay Vyas,
Shivaji Nagar, 12th Scheme, CIDCO,
Aurangabad, Tq. & Dist. Aurangabad.

... Respondents

...

Mr. S.V. Gundre, Advocate for applicants

Mr. S.A. Gaikwad, APP for respondent No.1

Mr. A.V. Indrale Patil, Advocate for respondent No.2

...

WITH

CRIMINAL APPLICATION NO.2561 OF 2025

IN

CRIMINAL APPLICATION NO.4417 OF 2024

...

**CORAM : SMT. VIBHA KANKANWADI &
 HITEN S. VENEGAVKAR, JJ.**

DATE : 04th SEPTEMBER, 2025

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

waives notice for respondent No.1 and learned Advocate Mr. A.V. Indrale Patil waives notice for respondent No.2. This application has been filed for recall of order dated 03.12.2024 passed in Criminal Application No.4417 of 2024, whereby after disinclination was shown to grant any relief to applicant Nos.1 to 3, upon instructions, learned Advocate for applicants had sought withdrawal of the application as against applicant Nos.1 to 3. Now, this is on the basis of compromise that has taken place subsequently between the parties. The CORAM which passed the order on 03.12.2024 is not in existence at this Bench. Only SMT. JUSTICE VIBHA KANKANWADI is available and, therefore, this application is entertained by present Bench and accordingly, Criminal Application No.2561 of 2025 stands allowed.

2 The matter was referred for mediation and learned Mediator has produced the terms of settlement which was the outcome of successful mediation. The parties were present before this Court on 10.06.2025 and they admitted terms of settlement. However, in respect of paragraph No.6 of the terms we had directed the applicants to produce documents. Accordingly, now those documents have been produced. Those documents are taken on record. Therefore, dispute between husband wife has come to an end with those terms and respondent No.2 has no objection if the First Information Report is quashed and set aside.

3 It will not be out of place to mention here that by Judgment and Decree dated 06.08.2025 learned Principal Judge, Family Court, Aurangabad has decreed Petition No.A-568/2023 under Section 13-B of the Hindu Marriage Act, 1955. Copy of the said Judgment and Decree is also taken on record. As the matter is settled by mediation, there is no hurdle to allow the Criminal Application No.4417 fo 2024. Hence, following order.

ORDER

- i) Criminal Application No.2561 of 2025 stands allowed. The order dated 03.12.2024 passed by this Court in Criminal Application No.4417 of 2024 stands recalled.
- ii) Criminal Application No.4417 of 2024 stands allowed.
- iii) The proceedings in Regular Criminal Case No.1117/2024 pending before learned Chief Judicial Magistrate, Jalna, arising out of First Information Report vide Crime No.46/2024 dated 20.01.2024 registered with Sadar Bazar Police Station, Jalna, Tq. & Dist. Jalna, for the offence punishable under Section 498-A, 504, 506 read with Section 34 of the Indian Penal Code, 1860 stands quashed and set aside as against applicants viz. 1) **Kaustubh Gopalrao Kulkarni**, 2) **Gopalrao Narayanrao Kulkarni**, 3) **Sow. Shamla w/o Gopalrao Kulkarni**, 4) **Sow. Ketaki w/o Vishal Pawar**, 5) **Vishal Bhaskar Pawar**.

(**HITEN S. VENEGAVKAR, J.)**
agd

(**SMT. VIBHA KANKANWADI, J.)**