

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

931 CRIMINAL WRIT PETITION NO. 1691 OF 2025

SURYAKANT SANGAMNATH BHALKE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. R.J. Nirmal, Advocate for the petitioner.
Mr. S.R. Wakale, A.P.P. for respondent No.1 – State.
Mr. P.S. Dikle, Advocate for respondent No.2.

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

DATED : 17 DECEMBER 2025.

Per Court :

1. Heard rival submissions.
2. Present petition is filed by the petitioner/husband Suryakant Sangamnath Bhalke for quashment of FIR No.56 of 2023 dated 31.01.2023 registered with Wasmal City Police Station, Taluka Wasmal, District Hingoli for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code alongwith Charge-sheet No.1984600723005601/2023 and also the criminal proceeding arising out of it bearing R.C.C. No. 151 of 2023.
3. Admittedly, there were other accused alongwith the present petitioner. However, the learned counsel for the petitioner as well as respondent No.2/wife submitted that this Court, vide order dated 27.03.2025 in Criminal Application

No.825 of 2023, has already quashed the aforesaid F.I.R. and proceeding against the other accused. Now, the F.I.R. and proceeding is to be quashed to the extent of petitioner only.

4. It is contended by the petitioner that during the pendency of aforesaid proceeding, he had approached this Court in Civil Writ Petition No. 12507 of 2024 for challenging the order passed in favour of respondent No.2/wife granting her interim maintenance of Rs. 10,000/- per month. However, in the said writ petition the matter was referred to mediation and the rival parties arrived at amicable settlement by submitting settlement terms, which are also annexed to this petition. On going through those settlement terms, it is evident that respondent No.2/wife and the petitioner decided to get separated from each other and the petitioner had undertaken to pay a lump-sum amount of alimony of Rs. 10,00,000/- (Rupees Ten Lakh). The said amount was to be paid after withdrawing all the other litigations filed by the rival parties against each other. In view of the settlement terms, the learned Single Judge of this Court had in fact disposed of the said civil writ petition vide order dated 14.11.2025. The said order speaks that the amount of Rs. 10,00,000/-, which is to be paid to the respondent No.2/wife, has already been deposited in this Court.

4. Learned counsel for the petitioner as well as respondent No.2/wife jointly made a statement that thereafter rival parties converted the divorce Petition A-267/2022 into one under the petition for divorce by mutual consent, which is still pending and the next date of the said petition is 23.12.2025. Further, respondent No.2 has also filed her affidavit-in-reply today itself mentioning the aforesaid settlement between herself and the petitioner. In the settlement deed, respondent No.2/wife has also agreed for quashing of the present F.I.R. and criminal proceeding lodged against the petitioner. Respondent No.2/wife is personally present before this Court and admitted that she is going to get separated from the petitioner/husband by way of divorce by mutual consent. Further, the lump-sum amount of permanent alimony of Rs. 10,00,000/- is already lying with this Court which she would get after disposal of the aforesaid divorce petition.

5. Under such circumstances, when the parties have amicably settled the matter, continuation of F.I.R. and criminal proceeding bearing R.C.C. No.151 of 2023 would be an abuse of process of law. In view of the same petition stands allowed and F.I.R. No. 56/2023 dated 31.01.2023 registered with Wasmat City Police Station, Taluka Wasmat, District Hingoli for the offences punishable under Sections 498-A, 323, 504,

506 read with Section 34 of the Indian Penal Code alongwith Charge-sheet No.1984600723005601/2023 and also the criminal proceeding arising out of it bearing R.C.C. No. 151 of 2023 stand quashed and set aside.

6. Criminal writ petition is accordingly disposed of.

(Y.G. KHOBRADE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE

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