



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2156 OF 2025

1. Sushant Vijay Waghmare (Husband of Resp.no. 2)
Age- 43 years, Occ.- Service
R/o. C/o Utkarsh Co-operative Housing Society,
61/409, M.H.B. Colony, Dindoshi Nagar,
Malad East, Mumbai, PO. Malad East, Mumbai.
 2. Sunanda Vijay Waghmare, (Mother-in-law)
Age- 64 years, Occ.- Household,
R/o- As above
 3. Vijay Shankar Waghmare, (Father-in-law)
Age- 68 years, Occ.- Retired,
R/o- As above
 4. Tushar Vijay Waghmare, (Brother-in-law)
Age- 38 years, Occ.- Service,
R/o- As above
 5. Priti Tushar Waghmare, (Sister-in-law)
Age- 36 years, Occ.- Household,
R/o- As above
- APPLICANTS

Versus

1. The State of Maharashtra
Through in charge Police Inspector,
Jamkhed, Police Station,
Tq. Jamkhed, Dist. Ahmednagar.
 2. Puja Sushant Waghmare,
Age- 36 years, Occ.- Household,
R/o- Shivnath Yaadav Chwal,
Room No. 2, near Ghatkoper Police Station,
Parshiwadi, Chiraag Nagar,
Ghatkoper West, Mumbai.
- . . .RESPONDENTS
(Resp No. 2 orig. Informant)

...

Advocate for Petitioner : Mr. A.B. Jagtap

APP for Respondents : Mr. S.D. Ghayal

Advocate for Resp no.2 : Mr. A D. Khedkar h/f Ms.P L. Kale

...

CORAM : S. G. CHAPALGAONKAR, J.

Dated : 24th March, 2026.

FINAL ORDER :-

1. Present application is filed with following prayer :-
 - B) Quash and set aside criminal proceedings arising out of the C.R. No. 176 of 2019 registered with Jamkhed Police Station, Dist. Ahmednagar and registered and pending as RCC No.134 of 2021 with J.M.F.C. Jamkhed, Dist. Ahmednagar for the offence punishable under sections, 498-A, 323, 504, 506, R/w 34 of the Indian Penal Code.
2. Investigation was set in motion on the basis of information given by respondent no.2 alleging that she married with applicant no.1 in the year 2009. Couple is blessed with a son and a daughter. She was treated well for three years, however, she was subjected to harassment in pursuance to demand of money for purchase of a house. In the year 2015, she was driven out of the home. She had lodged the report against in-laws in the month of December, 2016. NC was recorded. On 5.6.2018 she was again driven out of the house. Aforesaid information was culminated into registration of the

FIR no.176 of 2019 for the offences punishable under sections 498-A, 323, 504, 506 read with 34 of the IPC.

3. Investigation progressed and finally charge-sheet has been filed. Presently, RCC No.134 of 2021 is pending before J.M.F.C., Jamkhed, District Ahmednagar.

4. On 4.7.2025 notice of this application was issued to the respondents. Today, learned advocate appearing for respondent no.2 and applicants made submission before this Court that parties have arrived at amicable settlement and respondent no.2 has already filed her affidavit giving no objection for quashing of FIR and further proceedings. Accordingly, parties were relegated to learned Registrar (Judicial) of this Court, who submitted his verification report stating that respondent no.2 has filed affidavit-in-reply, which has been signed by her. Perusal of affidavit-in-reply shows that applicant no.1 and respondent no.2 have filed proceeding for divorce by mutual consent bearing Petition No.A-102837 of 2018 before the Family Court, at Bandra, Mumbai. They have also filed consent terms before the same court wherein, they have decided to obtain the decree of divorce after disposal of the present criminal application and quashment of the criminal proceeding

in RCC No.134 of 2021. Respondent no.2 is personally present before this Court and accepted contents of aforesaid affidavit are true and correct and she has no objection to quash the FIR and further proceeding.

5. In light of the aforesaid factual background, reference can be given to the observations of the Supreme Court in case of **Narinder Singh and others Vs. State of Punjab and another reported in (2014) SCC 466**, where in paragraph no.31, it is observed as under :-

“31.Where criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

6. In light of aforesaid exposition of law, this Court finds that applicant and respondent no.2 have amicably settled the matrimonial dispute and respondent no.2 has no objection to quash criminal proceeding initiated on the basis of information given by her. In result, case is made out to exercise inherent powers of this Court. Hence, following order is passed.

Order

Criminal application is allowed in terms of prayer clause 'B' and disposed of.

(S. G. CHAPALGAONKAR, J.)

...

AAA/-f