

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.975 OF 2025

Pratik Sarjerao Chopade And Others	...Applicants
Versus	
The State Of Maharashtra And Another	...Respondents

.....
Adv. Y. S. Sawant for Applicants.
Ms. T. J. Kapre, APP for Respondent- State.
.....

**CORAM : M.S. KARNIK &
AJIT B. KADETHANKAR, JJ.**

DATE : 10th DECEMBER, 2025.

P.C:

1. The impugned FIR No.311 of 2025 registered at Gokul Shirgaon Police Station, Kolhapur arose out of the matrimonial controversy between applicant No.1 and the respondent No.2 i.e. original complainant. The applicants have challenged the said FIR which has been filed under Section 85 and 115 (2) read with Section 3(5) of Bhartiya Nyaya Sanhita, 2023 (for short 'BNS').
2. The respective counsels identified the parties. During the course of hearing, it is informed that the parties amicably resolved the issue between applicant No.1 and the original complainant. It is further brought to the notice of this Court that both the parties have even filed divorce petition under Section 13B of the Hindu Marriage

Act, seeking divorce by mutual consent.

3. Today, the complainant and all the accused are present personally in the Court. Having been asked in Marathi language about settling the issue, the complainant stated in clear terms that she does not want to proceed with the prosecution anymore against all the applicants and she has decided to separate by filing a petition for divorce in the Competent Court.

4. It seems that the parties have amicably resolved that issue and the complainant herself does not want to proceed with the prosecution. In view of this we find that no fruitful purpose would be served by continuing the prosecution. In fact, the continuation of the prosecution would result in abuse of process.

5. In view of this, petition stands allowed.

6. The FIR No.311 of 2025 stands quashed and set aside.

7. The affidavit filed by the complainant is taken on record and marked as 'X' for record.

[AJIT B. KADETHANKAR, J.]

[M.S. KARNIK, J.]