

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1101 OF 2024

1. Umesh Wamanrao Jadhav
2. Aashabai Vaman Jadhav
3. Sumedh Vamanrao Jadhav
4. Ujwala Vamanrao Jadhav
5. Eknath Damodar Jadhav
6. Nirmala Eknath Jadhav
7. Tarachand Shankar Jadhav
8. Santosh Tarachand Jadhav

.....Applicants

Versus

1. State of Maharashtra and
2. Bharati Umesh Jadhav.

.....Respondents

Ms. Pranit P. Hingmire - Advocate for the Applicants.

Mr. S. V. Gavand - APP for the Respondent-State.

Mr. Narayan Rokade a/w Siddharth Ghodke a/w Abhang
Suryavanshi a/w Harichandra Jadhav – Advocate for
Respondent No. 2.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 06th FEBRUARY 2025

P.C. :

1. This is an application for quashing of the F.I.R. registered vide C.R. No. 6 of 2013, dated 13.01.2013, at Niphad Police Station, Nashik under Section 498-A, 323, 504, 506 and 34 of the Indian Penal Code and consequent proceeding arising out of the said offence vide Regular Criminal Case No. 85 of 2013 pending before the JMFC Niphad as against these Applicants.

2. Learned Counsel for the Applicants submitted that though the application is filed on merits of the matter, the Parties have now settled their dispute and therefore this application is being pressed on the ground of settlement.

3. Learned Counsel Shri Rokade appeared for the Respondent No. 2 but has not yet filed his *Vakilpatra* for the Respondent No. 2. He undertakes to file his *Vakilpatra* within a period of ten days. His undertaking is accepted. He has tendered the affidavit affirmed by Respondent No. 2 before the Superintendent of District and Additional Sessions Court, Niphad. The affidavit is taken on record.

4. The F.I.R. is lodged by the Respondent No. 2. Charge-

sheet is already filed. Copy of the charge-sheet is tendered on record. It is taken on record and marked as 'X (collectively)' for identification. In her F.I.R., the Respondent No. 2 has stated that she got married with the Applicant No. 1 on 11.05.2007. The Applicant No. 2 is his Mother, the Applicant No. 3 is his brother and the Applicant No. 4 is his sister. The Applicant No. 5 is his cousin. The Applicant No. 6 is wife of the Applicant No. 5. The Applicant No. 7 is uncle of the Applicant No. 1 and the Applicant No. 8 is cousin of the Applicant No. 1. She has stated that after her marriage on 11.05.2007, she started residing with the Applicant No. 1's family. But there were various instances, when she was harassed for the demand of Rs. 50,000/-. In between, she was blessed with a daughter. Because of her harassment, she had given her complaint at Niphad Police Station. The gist of the F.I.R. is that from the date of her marriage till she started residing separately, in the year 2012 she was continuously harassed. The investigation was carried out and the charge-sheet contains the statements of the parents, brother and neighbours of the informant. They have supported her case. Now the matter is settled between the Parties as mentioned earlier. The Respondent No. 2 has

tendered her affidavit. She has stated that the differences between the Applicant and herself were trivial in nature, and they have decided mutually to bury the differences. She has stated in paragraph no. 8 that the C.R. No. 6 of 213 registered at Niphad Police Station and the consequent proceeding be quashed and set aside.

5. Considering that the Parties have settled the matter, the dispute was purely personal in nature and since the Society was not involved, continuation of the proceedings will not serve any purpose. Therefore, we are inclined to allow this application.

6. Hence, the following Order :-

ORDER

- (i) The Criminal Application is allowed.
- (ii) The F.I.R. registered against the present Applicants vide C.R. No. 6 of 2013, at Niphad Police Station, Nashik under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code and the consequent proceeding arising out of the said offence vide

Regular Criminal Case No. 85 of 2013 pending
before the JMFC Niphad are quashed and set aside.

7. Accordingly, Criminal Application is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)