

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

Criminal Application No. 123 of 2025

Mininath Ramdas Lonare and others ... Applicants

V/s.

State of Maharashtra and anr. ... Respondents.

Mr. Hrishikesh Ghorpade, Mr. Vaibhav Khiladkar i/b. Siddharth N.Sutaria, Advocates for the Applicants.

Smt. M.M. Deshmukh, APP for the State.

Mr. Veerdhaval Kakade for Respondent No.2.

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

DATE : 03rd March 2025.

P.C. :

This is an application for quashing of the FIR registered vide C.R. No.349/2021 with Shirur Police Station and the consequent proceedings under Sections 376, 417, 406, 313 of Indian Penal Code and under Section 3(1)(r)s, 3(1)(w)(i)(ii), 3(2)(V), 3(2)(va) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 lodged by Respondent No.2 against the Petitioners.

2. As on today, Petitioner No.1 and Respondent No.2 are married. Petitioner No.2 is the mother of Petitioner No.1. Petitioner No.3 is the brother of Petitioner No.1 and Petitioner No.4 is the brother-in-law of Petitioner No.1. The FIR lodged by Respondent

No.2 mentions that she got acquainted with Petitioner No.1 in December 2018. They developed love relationship which turned into physical relationship as well. It is not necessary to enter into the details of the allegations in the FIR because parties are not married. Suffice it to say that allegations are that after keeping physical relations, the Petitioner No.1 refused to marry her and his family had abused her with reference to her caste and on these allegations the FIR is lodged.

3. The charge-sheet contains statements of her parents but mainly the allegations are made by Respondent No.2 herself.

4. Now the matter is not only settled between the parties but Respondent No.2 and Petitioner No.1 have got married. Respondent No.2 has filed an affidavit affirmed before the Deputy-Registrar of this Court. She was interviewed by learned APP Mrs.Deshmukh who got it confirmed from Respondent No.2 that the settlement is genuine and without coercion. Mrs. Deshmukh informed the Court that couple has a small daughter and all of them are residing happily together. The affidavit itself mentions that family members have decided to settle the matter and Applicant No.1 and Respondent No.2 got married. In this view of the matter it would be in the interest of justice of all the parties concerned that the proceedings are quashed. Continuation of the criminal prosecution would not be in the interest of justice. Therefore, we are inclined to allow this application. Hence, the following order:

ORDER

(i) The Criminal Application is allowed.

(ii) The F.I.R. registered vide C.R. No. 349/2021 with Shirur Police Station under Sections 376, 417, 406, 313 of Indian Penal Code and under Section 3(1)(r)s, 3(1)(w)(i)(ii), (2)(V), 3(2)(va) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and the consequent proceedings are hereby quashed and set aside.

5. The Criminal Application stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)