

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

CRIMINAL APPLICATION NO.237 OF 2025

Rohit Deodas Sonawane
and others

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Viral K. Rathod, Advocate for the Applicants.

Mr. S.V. Gavand, APP for the Respondent No.1-State.

Mr. R.R.Mishra, Advocate a/w. Surendra Yadav for the
Respondent No.2.

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

DATE : 04th MARCH, 2025

P.C. :

1. This is an Application for quashing of the FIR registered vide C.R. No.800/2021 at Dharavi police station, Mumbai and the consequent proceedings being C.C. No.2022/PW/2023 pending before the Judicial Magistrate, First Class, 12th Court, Bandra, Mumbai under Sections 498-A, 377, 323, 504, 506 read with 34 of IPC and Section 4 of the Dowry Prohibition Act.

2. Heard Mr. Viral Rathod, learned counsel for the Applicants, Mr. S.V. Gavand, learned APP for the Respondent No.1-State and Mr. R.R.Mishra, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. The Applicant No.1 is her husband. The Applicant No.2 is her father-in-law. The Applicant No.3 is her brother-in-law and the Applicant No.4 is the wife of the Applicant No.3. The FIR mentions that the Respondent No.2 got married with the Applicant No.1 on 18.4.2019. The parents of the Respondent No.2 spent for the wedding, ornaments and expenses etc.. After the marriage, she started residing with the Applicants. The gist of the FIR is that according to the Respondent No.2, the Applicant No.1 and the Applicant No.4 were having illicit relations and on that count there was unhappiness in her own marriage. She was being harassed and ill-treated. When she complained about that relationship, she was threatened with divorce. She was assaulted and driven out of her matrimonial house. On these allegations, the FIR is lodged. The

investigation was completed and the charge-sheet is filed. The charge-sheet contains statements of parents, sister and other relatives of the Respondent No.2. They have supported her case.

4. Now the matter is settled between the parties. The Respondent No.2 had filed proceedings under the Protection of Women from Domestic Violence Act as well as the present proceedings. After the settlement, she has agreed to withdraw all the allegations. The Respondent No.2 and the Applicant No.1 have decided to prefer appropriate proceedings for divorce by mutual consent.

5. The Respondent No.2 has filed affidavit-in-reply giving her consent for quashing of these proceedings. She has stated in her affidavit that she does not wish to give evidence before the trial Court. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She reiterated the contents of affidavit. She stated that the settlement is to her satisfaction and she does not want to proceed against the Applicants.

6. The dispute between the parties is purely personal in nature. The society at large is not involved. The parties have settled their issues. Through this settlement, many litigations would come to an end. Therefore, in the interest of justice, the proceedings can be quashed. Continuation of the prosecution will not serve any purpose.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.800/2021 registered at Dharavi police station, Mumbai as well as the consequent proceedings being C.C. No.2022/PW/2023 pending before the Judicial Magistrate, First Class, 12th Court, Bandra, Mumbai, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)