

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

CRIMINAL APPLICATION NO.291 OF 2025

Dayanand Kachru Gaikwad & Ors. Applicants

versus

The State of Maharashtra & Anr. Respondents

.....

- Mr. Amol B. Jagtap, Advocate for Applicants.
- Smt. M. H. Mhatre, APP for the State/Respondent.
- Mr. Touseef A. Shaikh a/w Saif U. Khan, Advocate for Respondent No.2.

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

DATE : 28th MARCH, 2025

P.C. :

1. This is an application for quashing of the proceedings bearing No.RCC/1113/2023 pending before the Judicial Magistrate First Class, Solapur, arising out of C.R. No.170/2023 registered at Jodbhavi police station, Solapur, u/s 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. Heard Mr. Amol B. Jagtap, learned Counsel for the Applicants, Mr. Touseef A. Shaikh, learned counsel for the

Respondent No.2 and Smt. M. H. Mhatre, learned APP for the State.

3. The FIR is filed by the Respondent No.2. The Applicant No.1 is her husband. The Applicant Nos.2 and 3 are parents of Applicant No.1. The Applicant Nos.4, 5 and 6 are his sisters. It is not necessary to refer to the allegations in detail, because the parties have settled the matter.

4. The gist of the FIR is that the Respondent No.2 got married with the Applicant No.1 on 30/08/2020. Her mother had spent for the marriage expenditure. After marriage, she started residing in her matrimonial house, where all the Applicants were staying together. Initially, for about 8 months she was treated properly. But slowly all the Applicants started ill-treating her. The Applicant No.1 was addicted liquor. Her Sister-in-law and mother-in-law started passing sarcastic and derogatory remarks against her and taunting her. There are allegations that the husband was having relationship with other girls. He still had kept open his account on a matrimonial site. He demanded

Rs.10 lakhs from the informant and drove her out of the matrimonial house on 24/10/2021. On this basis, the FIR is lodged.

5. Now the parties have settled the issues. The Respondent No.1 and the Applicant No.1 have filed divorce Petition before the Family Court, which is still pending. The Respondent No.2 has filed her consent affidavit giving her specific no objection for quashing of the present proceedings. She is present in the Court. She is identified by her learned counsel. She reiterated the averments in the affidavit. She stated that she has no objection for quashing of the FIR.

6. The dispute is purely personal in nature. The society at large is not affected. The parties have settled their dispute. No purpose would be served if the prosecution is continued. Therefore, we are inclined to allow this application.

7. Hence, the following order :

ORDER

- (i) The FIR registered vide C.R. No.170/2023 registered at Jodbhavi police station, Solapur, resulting in proceedings bearing No.RCC/1113/2023 pending before the Judicial Magistrate First Class, Solapur, are quashed and set aside.
- (ii) The application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)