

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

CRIMINAL APPLICATION NO. 394 OF 2025

1. Karishma Mayuresh Whaval
2. Lalita Chandrakant Katke
3. Santosh Maruti Mavle
4. Yatin Sambhaji Katke
5. Sangita Suresh Khalde
6. Aasha Shelar
7. Vijaya Nitin ValzadeApplicant

Versus

1. The State of Maharashtra
2. Shalini Nandkumar WhavalRespondents

Adv. Sushil C. Matkar, Adv. Aditya Mandavkar, Adv. Omkar Mayekar,
Adv. Disha Chaurasiya – Advocate for the Applicants

Adv. Vijay P. Agale i/by Manisha Gaikwad - Advocate for the
Respondent.

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

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

DATE : 23rd APRIL 2025

P.C. :

1. This is an application for quashing of the proceedings arising out of C.R. No. 561 of 2022 registered at Nehru Nagar Police Station, Mumbai resulting in CC No. Spl. Case/368/2023 pending before the Sessions Court, 60th Court, Mumbai.

2. The investigation is over and the charge-sheet is filed. The F.I.R. is lodged by the Respondent No. 2. The Applicant No. 1 is her daughter-in-law and all other Applicants are the relatives of the Applicant No. 1. The F.I.R. was lodged on 20.08.2022 under Sections 3 (1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 323, 506 read with 34 of the Indian Penal Code. The F.I.R. mentions that the informant belonged to a Scheduled Caste by birth. She got married with her husband-Nandkumar in 1985. One Mayuresh was her younger son. The Applicant No. 1 got married to informant's son-Mayuresh on 09.02.2018. The allegations in the F.I.R. are not required to reproduced in detail; because the Parties have now settled the dispute. However, the gist of the F.I.R. is that on various occasions, the informant was humiliated with reference to her caste. The Applicant No. 1's family members used to avoid eating food in the house of the informant. The Applicant No. 1 was reluctant to stay with her. On these allegations, the F.I.R. is lodged.

3. The investigation was carried out and the charge-sheet was filed. There was a complaint lodged by the Applicant No. 1 against the informant and her family members. The said F.I.R. was quashed

by a separate order passed in Criminal Application No. 448 of 2024. The parties have settled the dispute and therefore, they have come forward for quashing of the present proceedings as well. The Respondent No. 2 has filed her consent affidavit in which she had mentioned that the complaint was filed due to temperamental differences between the Applicants and herself. But differences are now amicably resolved. They are residents of the same locality, and they know each other from the past few years.

4. The dispute between the parties is purely personal in nature and not affecting the public at large. The Respondent No. 2 has given her specific no objection for quashing of the present proceedings. The Respondent No. 2 is present in the Court. She is identified by her learned counsel. She stated before the court she has no objection for quashing of the present proceeding as parties have settled the dispute.

5. Considering this situation, we are inclined to allow the application. 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. 561 of 2022 at Nehru Nagar Police Station, Mumbai under Sections 3 (1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 323, 506 read with 34 of the Indian Penal Code and the consequent proceedings bearing CC No. Spl. Case/368/2023 pending before the Sessions Court, 60th Court, Mumbai are quashed and set aside.

6. Accordingly, the Criminal Application is disposed of.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)