

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

CRIMINAL APPLICATION (APL) NO. 1124 OF 2025

Anup Ganesh Dhoke and Ors. V/s. The State of Maharashtra and anr.	 Applicants Respondents
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Mr. Priyal Sarda a/w. Ms. Seema Dighe and Mr. Shubham Sane for the Applicants.
Ms. Sharmila Kaushik, APP for the Respondent No.1 – State.
Ms. Preeti Walimbe a/w. Adv. Vaishnavi for Respondent No.2.
Respondent No.2 is present through VC.

**CORAM : SARANG V. KOTWAL AND
SHYAM C. CHANDAK, JJ.**

DATED : 16th OCTOBER, 2025

P.C. :-

. This is an Application for quashing of the proceedings in connection with Sessions Case No.584/2018 on the file of learned Additional Sessions Judge, Pune arising out of C.R.No.85/2014 registered with Vishrantwadi Police Station, Pune under Sections 498-A and 376 of the Indian Penal Code, 1860.

2) Heard Mr. Priyal Sarda, learned Counsel for the Applicants, Ms. Sharmila Kaushik, learned APP for Respondent No.1 – State and Ms. Preeti Walimbe, learned Counsel for Respondent No.2.

3) This is the second time that the Applicants have filed this Application for quashing of the proceedings on the ground of settlement between the parties. Earlier, they had preferred Criminal Application

No.1541/2024 for the similar relief. On that occasion, this Court was not inclined to grant any relief because the Applicant No.1 had lodged his own FIR against the Respondent No.2 herein and in that connection, the trial was proceeding. The trial has now concluded and the Respondent No.2 is acquitted from that trial. Therefore, in this changed circumstance, again a prayer is renewed for quashing of these proceedings by consent. This time, the Respondent No.2 has also given her clear affidavit giving her consent for quashing of the proceedings.

4) Since the matters are settled between the parties, it is not necessary to refer to the allegations in the FIR in detail.

5) Briefly stated, the allegations in the statement recorded on 14/03/2014 resulting in the said FIR dated 20/03/2014 mentions that, prior to one and a half year before registration of the FIR, she came in contact with the Applicant No.1. The other Applicants are his parents. The FIR describes how they developed their contact. The initial part of the FIR mentions that initially he had represented that he was suffering from a terminal disease but it appeared that it was just a pretext to develop close friendship. The FIR thereafter goes on to mention how they developed their physical relations. The FIR also mentions that both the families were knowing about this relationship. On 10/12/2013, the Respondent No.2 and the Applicant No.1 got married at Alandi, District – Pune. Her mother stood as a witness. After that, the Respondent No.2 was taken to Nagpur

which was the hometown of the Applicants. The FIR thereafter goes on to mention that, they stayed as husband and wife in a lodge. However, the Applicants' family and the extended family were totally against this marriage. The FIR thereafter goes on to mention as to how all the relatives of the Applicants pressurized and humiliated her. In the meantime, the Applicant No.1 continued to have physical relationship with her. There are allegations that, he had taken some financial help from her. Her ornaments and other valuable articles were also taken by them. But after that, the Applicant No.1 left her at Pune and he went to Nagpur and stopped all the contact. On all these allegations, the FIR is lodged.

6) As mentioned earlier, the matter is settled between the parties and the Respondent No.2 has filed her affidavit. She has stated in her affidavit that their respective families have decided not to interfere in each other's future lives. The pendency of the present case was causing disruption in her own life. She has given her clear no objection for quashing of this proceeding. She has stated that she has no grudge against the Applicants.

7) The Respondent No.2 appeared through video conferencing. She was identified by her learned Counsel. The Respondent No.2 reiterated the contents of the Affidavit and submitted before the Court that she wanted the proceedings to be quashed. She did not want the prosecution to continue.

8) Considering this stand taken by the Respondent No.2, no purpose would be served in continuation of the criminal prosecution. The allegations show that both the families were aware of the relationship between the Applicant No.1 and the Respondent No.2. According to the Respondent No.2, they had got married at Alandi. Therefore, on merits also, there are some indications that it was a consensual relationship and the marriage had taken place. However, it is not necessary to go into those allegations or facts because the parties have settled their dispute. The FIR is quite old. It was from the year 2014. The parties want to move ahead in their life. Considering this background, we are of the opinion that no purpose would be served by keeping the prosecution pending. It will serve no purpose. This is a fit case where the relief can be granted to the Applicants. Hence, the following Order :-

(a) The Sessions Case No.584/2018 on the file of learned Additional Sessions Judge, Pune arising out of FIR *vide* C.R.No.85/2014 registered with Vishrantwadi Police Station, Pune under Sections 498-A and 376 of the Indian Penal Code, 1860 are quashed and set-aside.

9) The Application is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)

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