



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION NO.1670 OF 2024

1. Rohit s/o Sadanand Wankhade, aged about 23 years, Occ. Education.
2. Varsha Sadanand Wankhade, aged about 43 years, Occ. Household.

Both r/o Near Vidyabharati College,
Gautam Nagar, Karanja (Lad), Tq.
Karanja (Lad), Dist. Washim.

3. Jyoti Vinod Shejav, aged about 40 years, Occ. Household, r/o Near Ramai Sabha Gruha, Gramin Police Station Road, Samarth Nagar, Khamgaon, Tq. Khamgaon, Dist. Buldana.

... APPLICANTS

VERSUS

1. State of Maharashtra, through the P.S.O., P.S. Civil Lines, Akola, Tq. Dist. Akola.
2. Sau. Shubhangi Satish Athawale, aged about 30 years, Occ. Household work, r/o c/o Bhimrao Sukhdeo Wankhade Panchasheel Nagar, Krushi Nagar, Akola, Tq. Dist. Akola.

... NON-APPLICANT(S).

Shri M.R. Deshpande, Advocate h/f Shri C.N. Wankhade, Advocate for the applicants.

Shri A.R. Chutake, Addl.Public Prosecutor for the State.

Ms Radha M. Mishra, Advocate for non-applicant no. 2. (appointed).

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.

DATE : 05.05.2025.

ORAL JUDGMENT : (Per : Pravin S. Patil, J.)

. **RULE.** Rule made returnable forthwith.

2. By this application, the applicants are seeking quashment of First Information Report No.0154 of 2024 registered with the Civil Lines Police Station, District Akola for the offence punishable under Sections 498A and 34 of the Indian Penal Code.

3. This matter was referred to the Mediator by order dated 20.02.2025. As per the Mediator report dated 05.05.2025, there is amicable settlement between the parties. According to the terms of settlement, non-applicant no. 2 is agreed to cohabit with applicant no.1. She further agreed that in future, she will not file any false complaints against the applicants. As such, she agreed to withdraw all the cases filed by her against the applicants. The report of the learned

Mediator is taken on record and marked as “Exhibit X’.

4. It is observed by the Hon’ble Supreme Court in the case of *B.S. Joshi vs. State of Haryana AIR 2003 SC 1386* as well as in the case of *Narinder Singh and ors. vs. State of Punjab and ors. (2014) 6 SCC 466*, the Court should exercise the powers to quash and set aside the proceeding arising out of matrimonial dispute when parties have resolved their entire dispute amongst themselves by amicable settlement.

5. In view of the above, there is no impediment to quash and set aside the criminal proceeding registered against the applicants. Accordingly, we pass the following order :

- (a) The Criminal Application is allowed.
 - (b) First Information Report No.0154 of 2024 registered with the Civil Lines Police Station, District Akola for the offence punishable under Sections 498A and 34 of the Indian Penal Code, is hereby quash and set aside.
6. Fees of the appointed Counsel be paid as per Rules.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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