



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APL) No. 1076 OF 2023

1. Ashwini W/o Surendra Sawale,
Aged about 34 years, Occ. Household,
2. Surendra S/o Tejrao Sawale,
Aged about 43 years, Occ. Government
Service
Both are residents of E-33, Vidhut Nagar
Paras, Akola, Maharashtra 444109

... Applicants

// VERSUS //

1. State of Maharashtra,
through Police Station, Washim,
District : Washim.
2. Pallavi Swapnil Sirsat,
Aged about 25 years, Occ. Household,
R/o : C/o: Vijay Tayade, Saililanagar,
Washim, Maharashtra

... Non-applicants

With

Criminal Application (APL) No. 1375 OF 2024

1. Swapnil S/o Mitharam Sirsat,
Aged about 31 years, Occ. Service,
R/o: Kupata, Taluk Balapur, Dist. Akola
Presently residing at MSEB Quarter,
Palghar, District Palghar
2. Suman Mitharam Sirsat,
Aged about 59 years, Occ. Household,
R/o Kupata, Taluka Balapur, District Akola

...Applicants

// VERSUS //

1. State of Maharashtra
through Police Station, Washim,
District Washim

2. Pallavi Swapnil Sirsat,
Aged about 26 years, Occ. Household,
R/o : C/o: Hamu Vijay Tayade, Saililanagar,
Washim, Maharashtra

... Non-applicants

With
Criminal Application (APL) No. 1376 OF 2024

1. Swapnil S/o Mitharam Sirsat,
Aged about 31 years, Occ. Service,
R/o Kupata, Taluka Balapur, District Akola
Presently residing at MSEB Quarter,
Palghar, District Palghar
2. Suman Mitharam Sirsat,
Aged about 59 years, Occ. Household,
R/o Kupata, Taluka Balapur, District Akola
3. Aswhini W/o Surendra Sawale
Aged about 35 years, Occ. Household,
4. Surendra S/o Tejrao Sawale,
Aged about 44 years, Occ. Government
Service
Applicant Nos. 3 and 4 are residents of E-
33, Vidhut Nagar Paras, Akola,
Maharashtra 444109

...Applicants

// VERSUS //

1. State of Maharashtra, through Police
Station Washim City, District Washim
2. Pallavi Swapnil Sirsat,
Aged about 27 years, Occ. Household
R/o C/o Hamu Vijay Tayade, Saililanagar,
Washim, Maharashtra

... Non-applicants

Shri S.S.Sohoni, Advocate for the applicants in all applications.

Shri S.S.Doifode, APP for the non-applicant/State in all applications.

Shri B.T.Parwe, Advocate for the non-applicant no.2 in all applications.

CORAM : NITIN B. SURYAWANSHI &
PRAVIN S. PATIL, JJ.

DATED : 28th JANUARY, 2025.

COMMON JUDGMENT (PER : NITIN B. SURYAWANSHI, J.)

Heard.

2. **Rule.** Rule made returnable forthwith. Heard with the consent of parties.

3. Criminal Application No. 1076 of 2023 and Criminal Application No. 1375 of 2024 are filed under Section 482 of the Code of Criminal Procedure read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita for quashing of First Information Report (FIR) in Crime No. 312 of 2023 dated 8th May, 2023 registered with Washim Police Station at the instance of non-applicant no.2 under Section 498-A read with Section 34 of Indian Penal Code.

4. Criminal Application No. 1376 of 2024 is filed for quashing of First Information Report dated 30th June, 2023 in Crime No. 574 of 2023 registered with Washim City Police Station at the instance of non-applicant no.2 which has culminated into Summary Criminal Case No. 1606 of 2023 pending before learned 3rd Judicial Magistrate First Class, Washim under Section 294, 504 506 read with Section 34 of the Indian Penal Code.

5. Both these First Information Reports are lodged by non-applicant no.2 Pallavi due to matrimonial dispute with her husband-Swapnil. Other applicants are Swapnil's mother, sister and her husband.

6. Husband-Swapnil and wife-Pallavi have amicably settled their matrimonial dispute. By filing joint affidavit Swapnil and Pallavi have stated that they have amicably settled the matrimonial dispute. Terms of settlement are reproduced in paragraph 6 of the affidavit. As per terms of settlement, criminal prosecutions lodged by Pallavi are to be withdrawn by her.

7. Swapnil/husband and Pallavi/wife are present in the Court. They are identified by their respective Advocates. They confirm about the amicable settlement of their dispute. Pallavi – non-applicant no.2 states that she has no objection to quash the proceedings.

8. In view of the amicable settlement of the matrimonial dispute, Criminal Application No. 1076 of 2023 and Criminal Application No.1375 of 2024 are allowed.

9. First Information Report dated 8th May, 2023 registered with Washim Police Station at Crime No. 312 of 2023 for the offence punishable under Section 498-A read with Section 34 of Indian Penal Code is hereby quashed and set aside.

10. The proceeding of Summary Criminal Case No. 1606 of 2023 pending before learned 3rd Judicial Magistrate First Class, Washim

for the offence punishable under Sections under Sections 294, 504, 506 read with Section 34 of the Indian Penal Code, arising out of First Information Report dated 30th June, 2023 registered with Washim City Police Station at Crime No. 574 of 2023 is hereby quashed and set aside.

11. Rule is made absolute in the above terms.

[PRAVIN S. PATIL, J.]

[NITIN B. SURYAWANSHI, J.]