



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

CRIMINAL APPLICATION (APL) NO.1258 OF 2025

1. Shri Roshan s/o Khushabrao Chandekar,
Age 31 years, Occ: Agriculturist
R/o Lumbininagar, Tah. Chamorshi,
Dist. Gadchiroli.
2. Mayabai w/o Khushabrao Chandekar
Age 58 years, Occ: Homemaker
R/o Lumbininagar, Tah. Chamorshi,
Dist. Gadchiroli.
3. Bandu s/o Sakharam Chandekar
Age 47 years, Occ: Agriculturist
R/o Malejhari, Tah. Mulchera,
Dist. Gadchiroli.
4. Sau. Sunita d/o Bhaiyaji Wankar
Age 35 years, Occ: Homemaker
R/o Malejhari, Tah. Mulchera,
Dist. Gadchiroli. **APPLICANTS**

...V E R S U S...

1. State of Maharashtra through
Police Station Chamorshi
Dist. Gadchiroli.
2. Sau. Shubhangi w/o Roshan Chandekar
Age 27 Occ: Homemaker
R/o Vankhi (Vasala), Tah. Armori,
Dist. Gadchiroli. **NON-APPLICANTS**

Mr. Sahil Mate, Advocate for Applicants.
Mr. A. V. Palshikar, Addl PP for Non-Applicant No.1/State.
Mr. Aniket Rangari, Advocate for Non-Applicant No.2.

CORAM: **SMT. M. S. JAWALKAR AND RAJ D. WAKODE, JJ.**
DATE: **29th SEPTEMBER, 2025.**

ORAL JUDGMENT: **(PER RAJ D. WAKODE, J.)**

1. At the outset Mr. Mate, the learned Counsel for the applicants seek leave of this Court to correct the cause-title so also amend the prayer clause.

2. Leave is granted.

3. Amendment to be carried out forthwith.

4. The applicants before this Court are the husband and in-laws of non-applicant No.2. The marriage was solemnized between the applicant No.1 and non-applicant No.2. However, because of the matrimonial discord the relationship strained and the non-applicant No.2 had lodged FIR No.0104/2021 registered with Police Station Chamorshi, District Gadchiroli on 04.03.2021 for the offences punishable under Sections 323, 498-A, 504 and 506 of the Indian Penal Code at record page 22. On the basis of the FIR, the non-applicant No.1 conducted investigation and after the completion of the investigation charge-sheet came to filed vide charge-sheet No.28/2021 on 03.07.2021 before the learned Judicial Magistrate First Class Court, Chamorshi. After filing of the charge-sheet the

criminal case was registered bearing Regular Criminal Case No.34/2021 and it is pending in the Court of the learned Judicial Magistrate First Class, Chamorshi, District Gadchiroli. However, during the pendency of the criminal proceedings the matter has been settled amicably between the parties and accordingly they approached the learned Civil Judge, Senior Division, Gadchiroli by filing Hindu Marriage Petition No.9/2025 for dissolution of marriage under Section 13(B) of the Hindu Marriage Act, 1955. The aforesaid petition has been allowed by the learned Civil Judge, Senior Division, Gadchiroli vide judgment dated 23.06.2025 and the marriage between the applicant No.1 and the non-applicant No.2 has been dissolved. As a part of the aforesaid settlement the present non-applicant No.2 had consented to give no objection for quashing of the present criminal proceedings along with the original FIR No.0104/2021. Hence, this criminal application.

5. In the present criminal application notice was issued by this Court on 19.09.2025. The Non-Applicants are served. Today, all the parties i.e. the applicant No.1 so also the non-applicant No.2 are present. We had interacted with the parties and more specifically the non-applicant No.2 Sau. Shubhangi Roshan Chandekar, who has informed this Court that the matter is

settled between them and that she does not want to prosecute the present criminal proceedings. Non-Applicant No.2 through her Counsel Mr. Aniket Rangari has filed affidavit to that effect on record.

6. In view of the above, we proposed to allow the present criminal application and quash and set aside the FIR bearing No.0104/2021 dated 04.03.2021 and the consequential charge-sheet so also the regular criminal proceedings pending before the learned trial court as the present case falls within the parameters laid down by the Hon'ble Apex Court in the case of *State of Haryana Vs. Bhajan Lal (1992 Supp. (1) SCC 335)*.

7. In view of the above, we proceed to pass following order:

ORDER

- [i] Criminal Application (APL) No.1258/2025 is allowed.
- [ii] Impugned FIR No.0104/2021 registered with Police Station Chamorshi, District Gadchiroli dated 04.03.2021 for the offences punishable under Sections 323, 498-A, 504 and 506 of the Indian Penal Code so also the consequential charge-sheet No.28/2021 dated 03.06.2021 filed

by the non-applicant No.1 in the Court of learned Judicial Magistrate First Class, Chamorshi, District Gadchiroli and the Regular Criminal Case No.34/2021 pending in the Court of learned Judicial Magistrate First Class, Chamorshi, District Gadchiroli are hereby quashed and set aside.

[iii] The parties to bear their own costs.

(RAJ D. WAKODE, J.)

(SMT. M. S. JAWALKAR, J.)

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