



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

Criminal Application (APL) No.1694/2024

1. Rushab Narendra Salwatkar (Husband),
Age 25 years, Occ- Unemployed.
 2. Narendra Gangadhar Salwatkar (Father in Law),
Age 56 years, Occ-Agriculture.
 3. Alka Narendra Salwatkar (Mother in Law),
Age 51, Occupation-Household,
 4. Satish Ashokrao Dethe (Maternal Uncle)
Age 41 years, Occ.-Agriculture.
 5. Kishori Satish Dethe (Maternal Aunt)
Age 32 years, Occ.-Household.
 6. Venu Ashokrao Dethe (Maternal Grandmother)
Age 65 years, Occ- Unemployed.
All R/o Hanuman Ward Chamorshi,
Ta. Charmorshi, District Gadchiroli.
- Applicants

- VERSUS -

1. The State of Maharashtra, through the Police Station Officer,
Chamorshi Police Station, District Gadchiroli.
 2. Mrs. Payal Rushab Salwatkar,
Age 21 years, Occ.-Unemployed,
R/o- c/o Smt. Sujata Rushi Gedam,
Tah. Chamorshi, District Gadchiroli.
- Non-applicants

Mr. R.R. Dawda, Advocate for for applicants.
Mr. Badar, APP for State.
Mr. V.S. Lokhande, Advocate for non-applicant no.2.

CORAM : Nitin B. Suryawanshi &
Pravin S. Patil, JJ.
DATE : 05-02-2025.

ORAL JUDGMENT (Per Nitin B. Suryawanshi, J.)

Rule. Rule made returnable forthwith. Heard by consent of the parties.

ii. By this application filed under Section 482 of Code of Criminal Procedure, applicants seek quashing of First Information Report (FIR) at Crime No.72/2021 registered with Chamorshi Police Station, District Gadchiroli under Sections 498-A, 323, 506 r/w 34 of Indian Penal Code (IPC), Section 4 of Dowry Prohibition Act, 1961 r/w Sections 3(1)(r), 3(1)(s), 3(2)(5a) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and further proceedings of Summary Criminal Case No.29/2021 pending before learned Additional Sessions Judge, Gadchiroli, pursuant to lodging of FIR at the instance of non-applicant no.2.

iii. Marriage of applicant no.1 Rushab and non-applicant no.2 Payal was solemnized on 08-10-2020. Non-applicant no.2 lodged FIR in question on 09-02-2021, in short alleging that she was treated with cruelty at the hands of applicants.

iv. During the pendency of said proceeding, applicant no.1 and non-applicant no.2 have amicably settled their matrimonial dispute. Terms of settlement were placed before learned Civil Judge, Senior Division, Gadchiroli in HMP No.114/2023, on the basis of settlement decree of

divorce by mutual consent is granted to them. As per the terms of settlement non-applicant no.2 has agreed to support this application for quashing of FIR.

v. Non-applicant no.2 has filed affidavit and has confirmed amicable settlement of dispute. It is mentioned in the affidavit that though marriage was solemnized on 08-10-2020 they could not stay with each other even for a single day. As their marriage was intercaste there was certain confusion between families and out of the same non-applicant no.2 filed FIR in question. As per terms and conditions of compromise she has received an amount of Rs. 3,00,000/- towards full and final settlement of maintenance amount.

vi. Applicant no.1-Rushab and non-applicant no.2-Payal are present in the Court and they are identified by their respective advocates. Non-applicant no.2 states that she has entered into compromise on her own accord and without there being any pressure and she has no objection to quash the prosecution.

vii. In view of amicable settlement of dispute between applicant no.1-Rushab and non-applicant no.2-Payal and since non-applicant no.2 has agreed to withdraw the prosecution against applicants, no useful purpose would be served by continuing prosecution against applicants. On

the contrary, continuation of prosecution would be the abuse of process of law. In the result, application is allowed in terms of prayer clause (i).

viii. Rule is made absolute in the aforesaid terms.

(Pravin S Patil, J.)

(Nitin B. Suryawanshi, J.)