



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.1432 OF 2025

1. Rushikesh Sham Sangave (Husband)
Age: 33 years, Occu. Business,
R/o. Flat no. 7, Smruti Apartment, Bansilal Nagar
Aurangabad.
2. Sham Pandit Sangave (Father-in-law)
Age: 57 years, Occu. Household,
R/o. Wadod Bu. Khultbad, Aurangabad
3. Sunita Sham Sangave (Mother-in-law)
Age: 40 years, Occu. Household
R/o. Wadod Bu. Khultabad, Aurangabad
4. Ashish Sham Sangave (Brother-in-law)
Age: 44 years, Occu. Agriculture,
R/o. Wadod Bu. Khultabad, Aurangabad
5. Snehal Ashish Sangave (Sister-in-law)
Age: 35 years, Occu. Household
R/o. Wadod Bu. Khultabad, Aurangabad
6. Poonam Satish Waykos (Sister-in-law)
Age: 48 years, Occu. Agriculture
R/o. R/h No. 03, Plot No. 32, Gut No. 96, Simrat
Residency, Paithan Road, Itkheda, Aurangabad
7. Satish Subhashrao Waykos (Brother-in-law)
Age: 48 years, Occu. Agriculture
R/o. R/h No. 03, Plot No. 32, Gut No. 96, Simrat
Residency, Paithan Road, Itkheda, Aurangabad
8. Vrushali Sandeep Lakhpati (Sister-in-law)
Age: 48 years, Occu. Agriculture
R/o. Waregaon, Phulambri, Aurangabad.
9. Sandeep Prakashrao Lakhpati (Brother-in-law)
Age: 48 years, Occu. Agriculture
R/o. Waregaon, Phulambri, Aurangabad. **Applicants**

VERSUS

1. The State of Maharashtra
Through the Police Inspector,
Phulambri Police Station,
Tq. Phulambri, Dist. Aurangabad.
2. Divya Rushikesh Sangave
Age: 23 years, Occu. Household
R/o: C/o: Chauka, Tq. Phulambri,
Dist. Aurangabad ...Respondents

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AND

CRIMINAL APPLICATION NO.1208 OF 2026.

1. Rushikesh Sham Sangave (Husband)
Age: 33 years, Occu. Business,
R/o. Flat no. 7, Smruti Apartment,
Bansilal Nagar Applicant

VERSUS

1. The State of Maharashtra
Through the Police Inspector,
Phulambri Police Station,
Tq. Phulambri, Dist. Aurangabad.
2. Divya Rushikesh Sangave
Age: 23 years, Occu. Household
R/o: C/o: Chauka, Tq. Phulambri,
Dist. Aurangabad Respondents

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Advocate for Applicants : Mr. N.N. Desale
APP for Respondent no.1/State : Mr. S.K. Shirse
Advocate for Respondent No.2 : Mr. A.V. Patil

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 02, 2026

FINAL ORDER :-

1. The applicants seek quashment of the FIR no.427 of 2023 registered with police station Phulambri, District Aurangabad for offences punishable under sections 498-A, 323, 504, 506 r.w 34 of the Indian Penal Code as well as consequential proceeding in R.C.C. No.106 of 2024 pending before the learned Judicial Magistrate First Class, Phulambri, District Aurangabad.

2. Investigation was set in motion on the basis of information given by respondent no.2 alleging that she married on 17.6.2019 with applicant no.1 as per Hindu rites and customs. After marriage, she resided at her matrimonial home along with in-laws. She was treated well for a month, however, accused persons raised demand of Rs.15 Lakhs for establishment of a medical shop. Her parents could not meet the aforesaid demand. Therefore, in-laws/applicants continued harassment and ill-treatment towards her. Her father transferred his vehicle in the name of her husband. She was asked to work as a servant on medical shop. Lastly, she was driven out of the home.

3. The aforesaid information culminated into registration of the FIR no.427 of 2023. On completion of investigation,

charge-sheet came to be filed and at present RCC no.106 of 2024 is pending trial before the J.M.F.C. at Phulambri.

4. It appears that criminal application no.1432 of 2025 has been filed on behalf of all the accused persons seeking quashment of the FIR and further proceedings, however, while issuing notice, this Court shown disinclination to grant relief in favour of applicant no.1-husband. Accordingly, application was dismissed as withdrawn to the extent of applicant no.1-husband and notices were issued to the extent of remaining applicants.

5. Meanwhile, parties arrived at amicable settlement of matrimonial dispute. Therefore, accused/applicant no.1 filed fresh Criminal Application no.1208 of 2026.

6. Today, respondent no.2 and applicants are present before this Court. Respondent no. 2 has filed affidavit stating that by intervention of family members, dispute has been amicably resolved. Respondent no.2 and applicant no.1 has decided to dissolve marriage. Accordingly, they have filed HMP no.242 of 2025 for divorce by mutual consent under section 13 (B) of the Hindu Marriage Act before Family Court, at Aurangabad. She has given no objection for quashment of the FIR and consequential proceeding. Copy of HMP no.242 of 2025 under

section 13(B) of Hindu Marriage Act pending before Family Court, at Aurangabad is placed on record of this Court. This Court finds that matrimonial dispute has been amicably settled between the parties.

7. In light of aforesaid factual aspects, reference can be given to the judgment of the Hon'ble Supreme Court in case of **Narinder Singh and Others Versus State of Punjab and another reported in (2014) 6 SCC 466** wherein Apex Court held that -

31. Where criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

8. In light of aforesaid observations and genuine settlement of matrimonial dispute between respondent no.2 and applicants, this Court finds that continuation of criminal proceeding would be abuse of process of law and wastage of judicial time. No purpose would be served by continuing criminal proceeding which is amicably settled by the parties. In result, both Criminal Applications are allowed in terms of prayer clause **(B)**, which reads as under :-

B) By way of appropriate order or directions in the like nature, the impugned FIR bearing C.R. No.427/2023

registered with Phulambri Police Station, Tq. Phulambri, District Aurangabad for the offences punishable U/Sec. 498-A, 323, 514, 506 r/w 34 of Indian Penal Code as well as Charge Sheet No. 26/2024 filed on 05/03/2024 and the further proceedings bearing R.C.C. No. 106/2024 pending in the file of Ld. Judicial Magistrate First Class, Phulambri, Tq. Phulambri, District Aurangabad, may kindly be quashed and set aside.

ii. Both the Criminal Applications stand **disposed off**.

(S. G. CHAPALGAONKAR)
Judge

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