



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

913 CRIMINAL APPLICATION NO. 561 OF 2026

1. Nilesh Uttam Gaikwad (Husband)
Age: 43 yrs, Occ: Service
R/o: Harklal Nagar, Taloda,
Dist. Nandurbar,
At Present,
Mahatma Phule College of Social Work,
Taloda, Dist. Nandurbar
 2. Anjanabai Uttam Gaikwad, (Mother-in-Law)
Age: 69 yrs, Occ: Household
R/o: As above
 3. Raju Uttam Gaikwad, (Brother-in-Law)
Age: 50 yrs, Occ: Service
R/o: Mahatma Phule Colony, Subhash Tekdi,
Near Takshshila School, Ulhasnagar, Dist. Thane
 4. Kavita Uttam Gaikwad, (Sister-in-Law)
Age: 49 yrs, Occ: Household
 5. Sharad Uttam Gaikwad, (Brother-in-Law)
Age: 46 yrs, Occ: Service,
R/o: Swapna Nagri Society, B Wing,
Room No. 304, Talegaon,
Dist. Pune
- Applicants

Versus

1. The State of Maharashtra,
Through Police Station Officer,
Bhingar Camp Police Station,
Tq. & Dist. Ahmednagar
2. Manjushri Nilesh Gaikwad,
Age: 40 yrs, Occ: Service,
R/o: Abhishek, Plot No. 29,
Don Bosco Hosuing Society (Prem),
Bosco Nagar, Savedi, Tq. & Dist. Ahmednagar

3. Uttam Dada Gaikwad,
Age: 77 yrs, Occ: Retired,
R/o: Mahatma Phule Colony, Subhash Tekdi,
Near Takshshila School, Ulhasnagar, Dist. Thane
(Original Accused no. 2)
... RESPONDENTS
(Resp no. 2 is orig. informant)

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Advocate for Applicants : Mr. S.S. Dhawale
APP for Respondents: Mrs R. R. Tandale
Advocate for Respondent no.2 : Mr. P.V. Barde

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : 27th March, 2026.

FINAL ORDER :-

1. The applicants seeks to quash the FIR in Crime No.139 of 2020 registered with Bhingar Camp Police Station for the offences punishable under section 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code and consequential proceeding in R.C.C. No.969 of 2020 pending before learned Judicial Magistrate First Class, at Ahmednagar.

2. Learned advocates appearing for applicants and respondent no.2 jointly submits that applicants and respondent no.2 have amicably settled dispute through mediation. Terms of such settlement are filed before this Court in Family Court Appeal no.9 of 2024. Copy of which is placed on record of this application at Exhibit-D (page no.95) onwards.

3. In paragraph no.4 of the terms of settlement, respondent no.2 has specifically admitted that she has no objection to quash the FIR and consequential proceeding in RCC No.969 of 2020 pending before J.M.F.C. and she would remain present to give consent.

4. Respondent no.2 is personally present before this Court and consents to quash FIR and consequential proceeding.

5. Perusal of the FIR indicates that it was filed for alleged offences under sections 498-A, 323, 504, 506, 34 of the IPC against in all six accused persons including husband and other family members. It appears that Petition no.A-48 of 2021 was filed by husband for divorce for Dissolution of Marriage u/s 10 of the Divorce Act and same has been allowed vide judgment and order dated 28.2.2023 passed by the Family Court, Ahmednagar. Appeal filed against said decision is agreed to be withdrawn.

6. In light of amicable settlement of matrimonial dispute between parties and considering law laid down by the Hon'ble Supreme Court of India in case of **Narinder Singh and others**

Vs. State of Punjab and another reported in (2014) SCC 466,

where in paragraph no.31, it is observed as under :-

“31.Where criminal cases having overwhelmingly and predominantly 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.”

This Court finds that case is made out to exercise inherent powers under section 482 of the Criminal Procedure Code.

7. In result, criminal application is allowed in terms of prayer clauses ‘B’ and ‘C’ and **disposed of.**

(S. G. CHAPALGAONKAR, J.)

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AAA/-f