



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

CRIMINAL APPLICATION (APL) NO. 2075 OF 2025

- APPLICANTS :**
1. Sandeep Sambhaji Sarkunde,
Age - 43 years, Occ : Service,
 2. Sau. Shobha Sambhaji Sarkunde,
Age – 64 years, Occ : Housewife,
 3. Sambhaji Motiram Sarkunde,
Age – 70 years, Occ : Retired,

All R/o Plot No.16, New Nurses
Town, Co-op Hsg Society,
Behind UK Jewellers,
Pune – Satara Road Dhankawadi,
Pune – 411043.

V E R S U S

- RESPONDENTS :**
1. State of Maharashtra
Through Police Station Officer,
Police Station, Vasant Nagar Gramin
Pusad, District – Yavatmal.
 2. Dr. Priti Lahore D/o Premdas
C/o Smt. Sushila Premdas Lahore,
Age – Major, Occu : Associate Professor
R/o – Plot No.17, Jagruti Colony,
Kantangar, Camp, Amravati – 444602.

WITH

CRIMINAL APPLICATION (APL) NO. 1064 OF 2018

- APPLICANTS :**
1. Marotrao Amrutrao Vanjare,
Aged : 87 yrs old,
Occupation – Agriculture and
Social Worker,
Resident of Green Park-2,
Shrirampur, Pusad, Police Station,
Vasant Nagar, Pusad,
District Yavatmal.

2. Narayan Lakshaman Karhale,
Aged 65 yrs old,
Occupation – Agriculture, Social Worker,
Resident of Pusad, Police Station,
Vasant Nagar, Pusad,
District Yavatmal.
3. Raghoji Satvaji Kurde,
Aged 68 yrs old,
Occupation – Agriculture,
Resident of Pusad, Police Station,
Vasant Nagar, Pusad,
District Yavatmal.
4. Smt. Ashatai Sambhaji Pande,
Aged 54 yrs old,
Occupation – Agriculture,
Resident of Gandhinagar, Pusad,
Police Station, Vasant Nagar, Pusad,
District Yavatmal.
5. Bhagorao Hanavatrao Dudule,
Aged 65 yrs old,
Occupation – Agriculture,
Resident of Fetra, Pusad, Police Station,
Vasant Nagar, Pusad,
District Yavatmal.
6. Vinayakrao Jambuvantarao Torkad,
Aged 68 yrs old,
Occupation – Agriculture,
Resident of Kondhai, Pusad, Police Station,
Vasant Nagar, Pusad,
District Yavatmal.
7. Sadanand Narayanrao Pande,
Aged 58 yrs old,
Resident of Kharbi Post Marathi,
Tq. Umarkhed,
Dist.Yavatmal.
8. Vijay Kashinath Khupse,
Age 50 yrs old,
Resident of Gokunda,
Tq. Kinwat, Dist. Nanded.

9. Kailash Sambhaji Bharkade,
Aged 43 yrs old,
Resident of RTO Office, Washim.

VERSUS

RESPONDENTS :

1. State of Maharashtra
Through its Police Station Officer,
Vasant Nagar Gramin Police Station,
Pusad, District Yavatmal.
2. Dr. Priti Lahore W/o Sandeep
Sarkunde, aged major, Occ. Service,
as a Assistant Professor,
Department of Medicine,
Govt. Medical College,
Akola-444001.
Mobile – 8108400576
Email-pritilahire@gmail.com

Amended as per
Court's order
dated 26.03.2019.

Shri Vikas Kulsange, Advocate for applicants.
Shri A. M. Joshi, APP for non-applicant No.1-State.
Shri S. G. Deshpande, Advocate for non-applicant No.2.

CORAM: URMILA JOSHI-PHALKE, J.
DATED : 09/03/2026.

ORAL JUDGMENT :

1. Both these applications are preferred by the applicants for quashing of FIR in connection with Crime No.497/2018 registered under Sections 120-B(2) r/w Section 34 of the IPC as well as under Sections 3(8), (10), (12) and 5 of the Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016 and during the pendency of these applications, the applicants in Criminal Application (APL)

No.1064/2018 namely; Marotrao Amrutrao Vanjare, Raghoji Satvaji Kurde and Bhagorao Hanavatrao Dudule are reported to be dead.

2. A crime is registered on the basis of report lodged by the non-applicant No.2 - Dr. Priti Lahore @ Dr. Priti Sandeep Sarkunde on an allegation that her marriage was performed with the applicant Sandeep Sambhaji Sarkunde on 06/06/2018 and from the said wedlock, she is having one daughter aged about four years. She alleged that after marriage, she was not treated well and she was subjected for the ill-treatment. Therefore, she has lodged the report vide Crime No.126/2017 against the present applicants. It is further alleged by her that the meetings were held for settlement of the dispute by the Tribe Panchayat but she was not present in the said meetings. She further alleged that as her mother-in-law, father-in-law and her husband used to torture her physically and mentally and ultimately, it is affecting her services as the said dismay had become intolerable, she lodged the report. The another Criminal Application No.1954/2017 filed by her is also pending before the Judicial Magistrate, First Class.

3. The notice was issued to her by the Tribe Panchayat for resolving the dispute arose in relation to the complainant and her husband. It wants that if the parties did not remain present, the

ex-parte orders will be passed. The said notice was received by her just two days prior. As the said notice was not a legal notice, therefore, she has not attended the said meeting. On 09/09/2018 at 11.00 a.m., the said Tribe Panchayat was presided over by President Shri Marotrao Amrutrao Vanjare and 13 others and held the meeting without hearing her side. Her in-laws had accused her while leaving the house, she has taken the golden ornaments and without informing them, she has left the house. The Tribe Panchayat resolved that, if the complainant did not come back to her husband within seven days for cohabitation, the marriage between them would stand dissolved and her husband will be free for re-marriage. The said Tribe Panchayat Resolution was received on 18/09/2018 and she has replied the same on 26/09/2018. Without taking note of the said reply, the said Tribe Panchayat has resolved that the custody of girl child would be handed over to her husband, also the golden ornaments and one diamond necklace. The President and its members have signed the said resolution and the said resolution was filed on 20/10/2018 in the Court of Judicial Magistrate, First Class, Pune. She further stated that her husband had filed a case for restitution of conjugal rights. Still, they approached the Tribe Panchayat and mentally tortured her and therefore, the offence came to be registered against the

present applicants under Section 3(8)(10) and (12) and 5 of the Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016 and r/w Section 34 of the IPC.

4. During the pendency of these applications, both the parties arrived at a settlement. Both the parties are present before the Court. The affidavit in regard to the settlement is also filed on record. The contents of the settlement are verified from them.

5. Sections 3(viii) deals with, if anybody incites or provokes or encourages any member of his community, directly or indirectly, to sever social, religious, professional or business relations with any other member or members of his community;

6. Section 3(x) deals with, if any person prevents or obstructs or causes to prevent or obstruct any member of his community from establishing or maintaining such social, professional or business relations as he would ordinarily establish or maintain with other members of his community;

7. Section 3(xii) deals with, if anybody obstructs or denies or causes to obstruct or deny any member of his community from enjoying human rights said to have committed an offence punishable under Section 3 that is the social boycott.

8. In view of Section 11, the offences punishable under this Act may, with the consent of the victim and with the permission of the Court are compoundable.

9. Today, victim is present. The contents of settlement verified from her. She agreed and accepted the settlement terms and conditions and submitted that she has no objection to compound the offence. In view of Section 11, offence punishable under this Act may, with the consent of the victim and with the permission of the Court be compoundable.

10. The proviso to Section 11 shows that the Court shall by an order, grant permission for compounding of offence subject to the condition of performance of such community services to be rendered by the accused persons, as the Court may think fit.

11. Learned counsel for the applicants submitted that applicants are ready to render the services for community by arranging the Blood Donation Camp from them for the community at large i.e. Tribe Community. The said statement is accepted. They would arrange the Blood Donation Camp on 22/03/2026 at Pusad for the tribal community.

12. The applicants to comply and report the compliance to the Court.

13. In addition to that as the Investigating Agencies have spared time for the investigation as well as this Court and the Trial Court has also spared time for the adjudication. Therefore, applications deserve to be allowed subject to costs. In view of that, I proceed to pass following order :-

ORDER

- i] Applications are allowed.
- ii] The FIR in connection with Crime No.497/2018 registered under Section 120-B(2) r/w Section 34 of the IPC and under Sections 3(8), (10), (12) and 5 of the Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016 is quashed and set aside to the extent of present **Applicant No.2 – Narayan Lakshaman Karhale, Applicant No.4 – Smt. Ashatai Sambhaji Pande, Applicant No.6 – Vinayakrao Jambuvantarao Torkad, Applicant No.7 – Sadanand Narayanrao Pande, Applicant No.8 – Vijay Kashinath Khupse and Applicant No.9 – Kailash Sambhaji Bharkade** in Criminal Application (APL) No.1064/2018 and against the **Applicant No.1 – Sandeep Sambhaji Sarkunde, Applicant No.2 – Sau. Shobha Sambhaji Sarkunde and Applicant No.3 – Sambhaji Motiram Sarkunde** in Criminal Application (APL) No.2075/2025 subject to costs of Rs.20,000/-. The costs be deposited in the 'Public Welfare Account' bearing No. 129712010001014, IFSC Code No.

UBINO812978, Union Bank of India, High Court
Branch, Civil Lines, Nagpur.

iii] The compliance of the same be reported to this
Court.

14. In addition to that, in view of provisions under Section
11, applicants shall arrange Blood Donation Camp on **22/03/2026**
at Pusad for the tribal community and the compliance of the same
shall be reported to this Court.

15. The order will come into effect after the compliance is
reported to this Court.

16. Both these applications are disposed of.

17. Applications, pending if any, are disposed of
accordingly.

[JUDGE]