

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

CRIMINAL APPLICATION (APPP) NO. 496 OF 2014 IN APL NO.478 OF 2013.

Onkar Devidas Kaple and others. . .vs.. State of Mah.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.R.M.Patwardhan, Adv. for the applicants.
Mr.S.M.Ukey, APP for the State.

CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.
DATED : JUNE 09, 2015.

Heard Advocate Mr.Patwardhan appearing for the applicants, learned Additional Public Prosecutor for respondent no. 1/State and Advocate Mr.Ingole appearing for respondent no.2/original complainant.

The application is for quashing further prosecution of applicants vide FIR No.101 of 2013. It is submitted that said FIR is lodged by respondent no.2 – wife and the controversy is amicably settled out of Court between the parties. Respondent no.2 – wife has accordingly sent a letter dated 18th of March, 2014 to respondent no.1.

The offence registered is under Sections 498-A, 294, 506 read with Section 34 of the Indian Penal Code only because of matrimonial discord between respondent no.2 – wife and applicant no.1 – husband.

Thus, it is purely a private dispute with no public element in it.

In this situation, application is allowed and the FIR No.101 of 2013 registered by Police Station Umarkhed, Distt.Yavatmal is quashed and set aside.

Criminal application is accordingly allowed and dispose of.

No costs.

Criminal Application (APL) No.478 of 2013 is also partly allowed and disposed of.

JUDGE

JUDGE

Chute.