

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

CRIMINAL APPLICATION (APL) NO. 318 OF 2015.

Swapnil Rajendra Dikholkar and ors. ..vs.. Smt.Neha Swapnil Dikholkar and anr.

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

Court's or Judge's orders

Mrs.A.A.Joshi, Adv. for the applicants.
Ms.Shweta Ankalwar, Adv. for respondent no.1.
Mr.S.M.Ukey, APP for the State.

CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.
DATED : JULY 8, 2015.

Applicants and respondent no.1 jointly request for quashing RCC No.555 of 2014 pending on the file of Judicial Magistrate (F.C.), Chandrapur. It was earlier on the file of 7th Judicial Magistrate (F.C.), Pune and was registered as RCC No.0404588 of 2013.

Advocate Mrs.Joshi appears for all three applicants.
Advocate Ms.Shweta Ankalwar appears for respondent no.1.

Respondent no.1 is present in Court with her father Dilip Udhavrao Kuchankar.

Respondent-wife is identified by her Advocate.

Respondent no.1 states that the matter is amicably settled and the marriage between parties is also dissolved by decree with mutual consent under Section 13-B of Hindu Marriage Act, 1955 by Family Court No.3 at Nagpur. Copy of that judgment dated 21st of February, 2015 delivered in Application (F) No.330 of 2014 is also produced on record.

It appears that FIR was registered for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code on 18th of July, 2012 at Loni Kalbhor at Pune.

It appears that thereafter criminal case has been transferred

to Chandrapur Court mentioned supra.

Learned Additional Public Prosecutor has appeared for respondent no.2.

It is, therefore, apparent that dispute has arisen out of matrimonial discord between parties and has no public element.

In this situation, in the light of amicable settlement, the statement that matter is compromised is accepted.

Accordingly, above mentioned FIR No.332 of 2012 dated 18th of July, 2012 and consequential RCC No.555 of 2014 pending before Judicial Magistrate (F.C.), Chandrapur are quashed and set aside.

Criminal application is partly allowed and disposed of.

No costs.

JUDGE

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