

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

CRIMINAL APPLICATION (APL) NO.222 OF 2019
(Ravindra s/o Krushnaji Pimpalkar and others vs. State of Maharashtra)

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

Shri D.R. Bhoyar, Advocate for applicants.
Shri A.D. Sonak, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH AND
 ROHIT B. DEO, JJ.

DATED : MARCH 1, 2019

All the applicants are present along with
their Counsel.

This application is jointly filed by applicant
no.1/original complainant on the basis of whose
complaint Crime No. 3201/2017 came to be registered
for the offences punishable under Sections 3 and 4 of
Dowry Prohibition Act, 1961 by Police Station,
Ramnagar, Wardha and applicant nos.2 to 6, who are
inter se related.

Shri Bhoyar, learned Counsel for applicants,
submits that marriage of applicant no.3 was arranged
with daughter of applicant no.1. However, after few
days since applicant no.3 and daughter of applicant no.1
did not find themselves as suitable match for each other,
marriage could not be solemnized and thus applicant
no.1 lodged report alleging that applicant nos.2 to 6 had
demanded dowry and accordingly, offences came to be
registered. It is submitted that now the matter is

amicably settled and, therefore, proceedings may be quashed and set aside. In support of his contentions, learned Counsel has relied upon the law laid down by Hon'ble Apex Court in the case of **Narinder Singh and others vs. State of Punjab and others** {(2014) 6 SCC 466}.

We find that all the applicants/accused nos.2 to 6 are well placed in Society as applicant nos.2 and 4 are Teachers and applicant no.3 is Manager in Indian Bank. In that view of the matter, pendency of criminal proceedings would certainly damage their reputation. The Hon'ble Apex Court in the case of **Narinder Singh**, (supra) has held that upon taking the contents of report as well as charge-sheet at its face value, if the ingredients of offence are not made out and even after trial, if there is no possibility of matter ending into conviction, this Court should exercise powers under Section 482 of the Code of Criminal Procedure for giving an end to litigation.

Since the parties have amicably settled the matter and though there was some dispute between the applicants and as such, complaint came to be lodged by applicant no.1, which issue since is now found resolved and for compromise of which, joint application is made, we find that continuation of criminal proceedings would unnecessarily create problem in maintaining harmony amongst applicants. In the circumstances, we are inclined to allow the application.

It is specifically noted that after lodging of report, Investigating machinery is put into motion and

on carrying out investigation, charge sheet is filed in this crime before competent Court on 13/6/2017. In that view of the matter, we find it necessary to impose costs upon applicants before allowing this application.

In the circumstances, application is allowed in terms of prayer clause (1) thereof subject to applicant nos.1 to 6 depositing costs of rupees twenty thousand each with the Registrar (Judicial) of this Court within a period of four weeks from today. The amount of costs shall be paid to Police Welfare Fund, Wardha.

JUDGE

JUDGE

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