

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

Criminal Application [APL] No. 454 of 2019.

(Vivek S/o Anil Raut, Bhandara & Ors. Vs. State of Maharashtra)

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

Court's or Judge's Orders.

Ms. Pranita Chobe h/f Shri Anubhav Mardikar, Advocate for applicant nos. 1 and 2.
Ms. Payal V. Khare h/f Shri A.M.Gedam, Advocate for applicant no.3.
Shri T.A.Mirza, APP for State.

**CORAM : Z. A. HAQ &
VINAY JOSHI, JJ.**

DATE : 04.05.2019.

This is a joint application by which parties are seeking quashing of criminal prosecution namely R.C.C.No.2786/2018, arising out of Crime No. 255/2018, registered at Police Station, Jaripatka for offence punishable under Section 498A r/w Section 34 of the Indian Penal Code.

During pendency of criminal proceeding, parties have amicably settled matrimonial dispute and applied for decree for divorce by mutual consent. In the wake of such settlement, informant i.e. applicant no.3 does not want to proceed with criminal case.

Since police machinery was unnecessarily required to investigate the matter, applicants have deposited amount of Rs.20,000/- to compensate the State. Applicant no.3 i.e. informant has appeared through her Advocate and reiterated that she does not wish to go on with pending criminal case.

Since the matter is worked out by parties and particularly informant does not want to proceed with criminal case, there is no purpose in keeping criminal trial pending. Therefore, we

find that this is an appropriate case where proceeding has to be quashed to prevent the abuse of process of law.

In the circumstances, application stands allowed. We hereby quash and set-aside criminal proceeding namely R.C.C.No. 2786/2018, arising out of crime no. 255/2018, registered at Police Station, Jaripatka.

The amount of Rs.20,000/- deposited by the applicants be deposited in the State Victim Compensation Fund.

Criminal Application is allowed accordingly.

JUDGE

JUDGE