

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

CRIMINAL APPLICATION (APL) NO. 778 OF 2019

(Maninee Nilesh Khandait @ Maninee d/o Bhojraj Dhole & Ors. vs. The State of Maharashtra thr. PS, Frazerpura, Amravati)

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

Court's or Judge's orders.

Shri Chetan Sharma with Shri D.M. Khandait, Advocates
for the applicants.

Mrs. Sangeeta Jachak, APP for the non-applicant.

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**CORAM : P.N. DESHMUKH &
PUSHPA V. GANEDIWALA, JJ.
AUGUST 22, 2019.**

The applicants seek quashing of Charge Sheet No. 201 of 2017 dated 12.09.2017 for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code registered at Frazerpura Police Station, Amravati.

The applicant No. 1 – informant and applicant No. 2 – accused jointly submit that they have amicably settled their dispute out of Court. Applicant No. 1 is the wife of applicant No. 2. As per terms of their settlement, they have obtained decree of divorce by way of mutual consent vide judgment dated 06.05.2019 delivered in Petition No. F-175 of 2018 by Family Court, Nagpur.

Applicant No. 1 has no grievance against applicant No. 2 and his relatives i.e. applicant Nos. 3 & 4.

In view of the above facts and relying on the judgment of the Apex Court in the case of B.S. Joshi & Ors. vs. State of Haryana & Anr., reported at (2003) 4 SCC 675, we find it a fit case to quash charge sheet against applicant Nos. 2 to 4. Accordingly, we pass the following order :

Criminal Application is allowed subject to payment of costs of Rs.25,000/- (Rs. Twenty five thousand only) jointly by application Nos. 1 and 2 within two weeks. The said amount of costs be paid to the Registrar of this Court which, in turn, shall be paid to Panchavati Vrudashram, Umred Road, Nagpur.

JUDGE

JUDGE

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