

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

CRI. APPLICATION (APL) NO. 583 OF 2020

1. **Mr Satish W/o. Pandurang Dandarey,**
Aged about 24 years, Occupation : Service,
 2. **Leelabai Wd/o. Pandurang Dandarey,**
Aged about ____ occupation: At home,
- Both above 1 and 2, R/o. Santoshi Mata Ward,
Pandurna, District : Chindwara (MP)

.... **APPLICANTS.**

// **VERSUS** //

1. **The State of Maharashtra,**
Through Police Station, Warud,
Tehsil : Warud, District : Amravati
(investigation officer, Mr Suresh R.
Gawande of Crime No. 0009/2020)
2. **Smt. Komal W/o. Satish Dandarey,**
Aged about 22 years, Occupation:Service,
R/o. Mahesh Colony, Warud, District :
Amravati (Mah.)

.... **NON-APPLICANTS.**

Shri K. R. Trivedi, Advocate Advocate for Applicant.
Shri M.K.Pathan, A.PP for Non-applicant No.1.

CORAM : Z.A.HAQ AND SHRI N.B.SURYAWANSHI, JJ.
DATED : JUNE 23, 2020.

ORAL JUDGMENT : (Per : N.B.Suryawanshi, J.)

1. Heard.

2. **RULE.** Rule made returnable forthwith.

3. The present proceedings are filed for quashing F.I.R. No. 0009/2020, registered on 08/01/2020 at the behest of non-applicant No.2. The applicant and non-applicant No.2 are husband and wife, whose marriage was solemnized on 10/07/2018. However, during cohabitation, due to marital discord they both started living separately from 21/09/2019. The non-applicant No.2, lodged F.I.R. against the applicant which was registered with the non-applicant No.1 for the offences punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code.

4. The applicant and non-applicant No.2 have entered into a compromise and have amicably settled their dispute. The compromise is placed on record at Annexure-IV. One of the condition of the compromise is, the non-applicant No.2 shall co-operate with the applicant in getting the F.I.R. No.0009/2020 quashed. The learned Advocate for the applicant states that the compromise is acted upon and hence, prays for quashing of the F.I.R. in view of the compromise.

5. The non-applicant No.2 has appeared and filed affidavit-in-reply, wherein she has categorically stated that the differences between both the parties have come to an end and she does not want to prosecute the matter any further. She is willing to abide by the conditions mentioned in

the Memorandum of Understanding and as she has signed it, she is fully aware of the conditions mentioned therein. In her affidavit she further stated that she intends to withdraw the F.I.R. No. 009/2020.

6. Since it is a matrimonial dispute, which led to lodging of F.I.R. at the instance of the non-applicant No.2 and as the matter is amicably settled between the parties, we allow this application in terms of prayer clause (B).

Rule is made absolute accordingly. In the circumstances, the parties to bear their own costs.

(N.B.SURYAWANSHI, J)

(Z.A.HAQ, J)

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