

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

CRIMINAL APPLICATION (APL) NO. 223/2021

- 1] **Mrs. Apurva W/O Swayam Joshi,**
Aged 29 years, Occ. Nil,
R/o C/o Anilkumar Govind,
Quarter No. III/13,
NEERI Colony, Nagpur,
Tah. And Dist. Nagpur
(Maharashtra State)
- 2] **Mr. Swayam S/O Sanjeev Joshi,**
Aged 30 years, Occ. Business,
R/O 'Joshi Children Hospital',
Near Date College Road,
Yavatmal, Tah. & Dist. Yavatmal
(Maharashtra State)
- 3] **Dr. (Mrs.) Archana W/O Sanjeev Joshi,**
Aged 54 years, Occ. Medical Practitioner,
R/O 'Joshi Children Hospital',
Near Date College Road,
Yavatmal, Tah. & Dist. Yavatmal
(Maharashtra State)
- 4] **Dr. (Ms.) Sejal D/O Sanjeev Joshi,**
Aged 24 years, Occ. Medical Practitioner,
R/O 'Joshi Children Hospital',
Near Date College Road,
Yavatmal, Tah. & Dist. Yavatmal
(Maharashtra State)

.... **APPLICANT(S)**

// VERSUS //

State of Maharashtra,
Through Officer Incharge,
Bajaj Nagar Police Station,
Nagpur, Tah. & Dist. Nagpur
(Maharashtra State)

.... **NON-APPLICANT**

Ms. S. Maniyar, Advocate for the applicant no. 1
Shri H.D. Dangre, Advocate for the applicant nos. 2 to 4
Shri N.S. Rao, APP for the non-applicant

CORAM : Z.A.HAQ & AMIT B. BORKAR, JJ.
FEBRUARY 9, 2021

ORAL JUDGMENT : (PER:- AMIT B. BORKAR, J.)

1] Heard Ms. S. Maniyar, Advocate for the applicant no. 1, Shri H.D. Dangre, Advocate for the applicant nos. 2 to 4 and Shri N.S. Rao, APP for the non-applicant.

The applicant nos. 1, 2 and 3, identified by the advocates for the applicants, are present in the Court.

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

3] This is a joint application filed by the complainant and accused challenging registration of F.I.R. No. 182/2020 dated 29/07/2020 registered with the non-applicant – Police Station for the offences punishable under Sections 420, 498-A and 34 of the Indian Penal Code.

4] The first information report was registered on the complaint lodged by the applicant no. 1 against the applicant nos. 2 to 4 with the accusations that the applicant nos. 2 to 4 physically and mentally harassed the applicant no. 1. During the pendency of the investigation, the applicant no. 1 and applicant no. 2 have mutually resolved their matrimonial dispute

and have filed consent terms before the Family Court, Nagpur. Copy of the said consent terms is annexed with the present application. The consent terms are affirmed by the applicant no. 1 and applicant no. 2. As per clause (8) of the consent terms, the applicant no. 1 has agreed to withdraw the first information report registered against the applicant nos. 2 to 4.

5] We have considered the allegations in the first information report. In our view, the offences alleged against the applicant nos. 2 to 4 are personal in nature and since the applicant no. 1 and the applicant no. 2 have mutually resolved their matrimonial dispute by filing the consent terms before the Family Court, Nagpur, we do not see any impediment in quashing the first information report registered against the applicant nos. 2 to 4.

6] Hence, the following order:-

F.I.R. No. 182/2020 dated 29/07/2020 registered with the non-applicant – Police Station for the offences punishable under Sections 420, 498-A and 34 of the Indian Penal Code is quashed and set aside.

Rule is made absolute in the above terms.

JUDGE

JUDGE