

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

Criminal Application (APL) No.1074/2021

(Sau. Kanchan Chaparwal and others V 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

Mr. U.J. Deshpande and Mr. Kartik Rao, Advs for applicants.
Mr. M.J. Khan, APP for non-applicant.

CORAM : M.S. SONAK & PUSHPA V. GANEDIWALA, JJ.
DATE : 17-11-2021.

Heard learned Counsel for the parties.

2. This is a joint petition by applicant no.1-complainant and applicant nos. 2 to 7-accused to quash the First Information Report No.12/2020 (for short, 'FIR') dated 30-01-2020 and the subsequent chargesheet dated 09-07-2020 in Criminal Proceeding bearing RCC No. 389/2020 on the file of Judicial Magistrate First Class, Court No.2, Akola. FIR had alleged that applicant nos. 2 to 7 have committed offences punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code (for short, 'IPC').

3. The applicant nos. 1 and 2 i.e. husband and wife are present before us. They have stated that they are living together since last one year. The applicant no.1 has stated that she does not

wish to pursue the complaint and has no objection if the proceedings are quashed.

4. Having regard to the law laid down by the Hon'ble Supreme Court in the case of **B.S. Joshi and others vs State of Haryana and another**, reported in (2003) 4 SCC 675, we see no difficulty in accepting the joint request made by the applicants. Accordingly, we quash the aforesaid FIR, chargesheet and the proceedings and allow this petition in terms of prayer clause (i).

5. In the peculiar facts of the present case, there shall be no order as to costs.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)