

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2977 OF 2022

**CHETANKUMAR GANESHLAL SHARMA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

. . .

Advocate for Applicants : Mr. Swapnil Joshi a/w Mr. Mahesh Swami i/b. M/s.
J. P. Legal Associates

APP for Respondent No.1 - State : Mr. S. D. Ghayal
Advocate for Respondent No.2 : Mr. S. M. Ganachari

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**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATED : 17 NOVEMBER 2022

PER COURT :

Heard both the sides and the learned APP.

2. The applicants are seeking quashment of Crime No.505 of 2020 registered at Sadar Bajar Police Station, District Jalna, for the offences punishable under sections 498-A and 323 read with section 34 of Indian Penal Code at the instance of respondent No.2 and Regular Criminal Case No. 220 of 2021 pending on the file of Chief Judicial Magistrate, Jalna arising out of the said crime.

3. Applicant no.1 is the husband of respondent no.2, applicant no.2 is his brother and applicant no.3 is the wife of applicant no.2.

4. It is pointed out that the couple has decided to settle all the disputes amicably. They have obtained divorce by mutual consent from the Family Court at Nagpur. Its copy is produced on the record along with the terms of settlement duly verified before the Marriage Counsellor setting at rest all the disputes including that of alimony.

5. We do not see that any public policy is involved when the couple has decided to sever ties amicably. Allowing the criminal case to go on would create unnecessary hurdle in such settlement.

6. We allow the application and quash and set aside Crime No.505 of 2020 registered at Sadar Bajar Police Station, District Jalna, for the offences punishable under sections 498-A and 323 read with section 34 of Indian Penal Code, and consequent proceeding bearing Regular Criminal Case No. 220 of 2021 pending on the file of Chief Judicial Magistrate, Jalna.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)