

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

CRIMINAL APPLICATION (APL) NO.222/2022

1. Nilima Anil Kurai,
Age – 35 years,
R/o. Near Vandavan Hotel, Akola Road,
Akot, Dist. Akola.
2. Anil Suprav Kurai,
Aged about : Major 45 years,
R/o. Near Vandavan Hotel, Akola Road,
Akot, Dist. Akola.
3. Sushila Suprav Kurai,
Aged about : 64 years Major,
R/o. Near Vandavan Hotel, Akola Road,
Akot, Dist. Akola. ... **APPLICANTS**

-----VERSUS-----

State of Maharashtra
Through Police Station, Akot,
Dist. Akola. ... **NON-APPLICANT.**

Mr. Ayush Sharma, Advocate for the Applicants.
Mr. T. A. Mirza, A.PP for the Non-applicant/State.

**CORAM : V. M. DESHPANDE AND
AMIT BORKAR, JJ.**

DATE : 01.03.2022.

JUDGMENT : [PER: AMIT BORKAR, J.]

1. Heard.
2. **Rule.** Rule made returnable forthwith.

3. By this application under Section 482 of the Code of Criminal Procedure, the applicants are challenging registration of First Information Report No.32/2022 dated 14.01.2022 registered with non-applicant - Police Station against applicant Nos.2 and 3 for the offences punishable under Sections 498A read with Section 34 of the Indian Penal Code.

4. The First Information Report came to be registered against the applicant Nos.2 and 3 with the allegations that the applicant Nos. 2 and 3 treated applicant No.1 with physical and mental cruelty and harassed her on the ground of non-payment of dowry of Rs.20,000/-.

5. The applicants challenged registration of the First Information Report by way of filing present application. During pendency of the present application, the applicant No.1 and applicant Nos.2 and 3 have amicably settled their dispute.

6. Today, the applicant No.1 and applicant Nos. 2 and 3 are present in the Court. The applicant No.1 stated before the Court that in the interest of family and her children, she has decided to resolve dispute with the applicant Nos.2 and 3 and she does not want to pursue the complaint registered against the applicant Nos.2 and 3.

7. On careful perusal of the allegations in the First Information Report, we are satisfied that the offences alleged against the applicant Nos.2 and 3 are personal in nature.

8. The Hon'ble Apex Court in the case of ***Madan Mohan Abbot Vs. State of Punjab*** reported in (2008) 4 SCC 582, has taken a view that it is advisable that, the Court should ordinarily accept the terms of compromise even in criminal proceeding as keeping the matter alive with no possibility of conviction in favour of the prosecution is a luxury which the Courts, grossly over-burdened, as they are, cannot afford and that the time so saved can be utilized in deciding more effective and meaningful litigation.

9. In view of the amicable resolution of dispute between the applicant No.1 and the applicant Nos.2 and 3 there is no impediment in quashing the First Information Report registered against the applicant Nos.2 and 3.

10. We, therefore, pass following order :

- i. The Criminal Application is allowed.
- ii. The First Information Report No. 32/2022 dated 14.01.2022 registered with non-applicant - Police Station against the applicant Nos.2 and 3 for the

offences punishable under Sections 498A read with Section 34 of the Indian Penal Code is quashed and set aside.

11. Rule is made absolute in the above terms. Pending application(s), if any, stand(s) disposed of.

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