

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

CRIMINAL APPLICATION (APL) NO.225 OF 2022

1. Sau.Dipali Yogesh Lakhade,
Aged about 35 years, occupation service,
R/o c/o Shri Ganesh Gondchawar, Kalambeshwar,
Tahsil and District Akola.

2. Shri Yogesh s/o Dnyaneshwar Lakhade,
Aged about 37 years, occupation business,
(Zee Mahasale Shoppee).

3. Dnyaneshwar s/o Vasudeo Lakhande,
Aged about 60 years, occupation business.

4. Sau.Gita Dnyaneshwar Lakhade,
Aged about 50 years, occupation housewife.

5. Rajesh Dnyaneshwar Lakhade,
Aged about 35 years, occupation service.

6. Sau.Manisha Rajesh Lakhande,
Aged about 31 years, oOccupation housewife.

7. Vaibhav Dnyaneshwar Lakhade,
Aged about 33 years, occupation service.

8. Sau.Bhakti Vaibhav Lakhade,
Aged about 30 years, occupation housewife.

All r/o Pranjali Nagar, Mothi
Umari, tahsil and district Akola. **Applicants.**

:: VERSUS ::

State of Mahagaon, through Police Station Officer,
Police Station Civil Lines, Akola,
Tahsil and district Akola. **Non-applicant.**

=====

Shri J.B.Gandhi, Counsel for applicants.
Shri S.S.Doifode, Additional Public Prosecutor for the respondent/state.
=====

CORAM : V.M.DESHPANDE, & AMIT B.BORKAR, JJ.
DATE : MARCH 15, 2022

ORAL JUDGMENT (Per : Amit B.Borkar, J.)

1. Heard learned counsel Shri J.B.Gandhi for applicants and learned Additional Public Prosecutor Shri S.S.Doifode for the non-applicant/State. **Rule.** Rule made returnable forthwith. Heard finally by consent of learned counsel for parties.

2. This is a joint application filed by applicants. Applicant No.1 is wife of applicant No.2 and applicant Nos.3 to 8 are her in-laws.

3. A First Information Report came to be registered against applicant Nos.2 to 8 with allegations that applicant Nos.2 to 8 physically and mentally harassed applicant No.1 for non-payment of dowry. Investigating agency, after completion of investigation into the crime, filed chargesheet against applicant Nos.2 to 8. Pending disposal of the present application, applicant No.1 and applicant Nos.2 to 8 mutually resolved their dispute between them.

4. Having carefully considered allegations in the First Information Report and material in the form of chargesheet, we are

3

satisfied that the offence against applicant Nos.2 to 8 are personal in nature.

5. Having carefully considered allegations in the First Information Report, we are satisfied that nature of the offence against applicant Nos.2 to 8 are personal in nature. The Honourable Apex Court in the case of Madan Mohan Abbot ..vs.. State of Punjab, reported at (2008)4 SCC 582 has taken a view that when allegations are personal in nature, it is advisable to quash proceedings so that time in such cases can be utilized for more deserving cases.

6. Since offence lodged against applicant Nos.2 to 8 are personal in nature, in view amicable settlement resolved between applicant No.1 and applicant Nos.2 to 8, there is no impediment in quashing of the First Information Report and chargesheet against applicant Nos.2 to 8. We, therefore, pass following order:

ORDER

(1) The criminal application is allowed.

(2) First Information Report bearing Crime No.37/2018 registered with Police Station Civil Lines, Akola, for offence punishable under Section 498-A read with Section 34 of the Indian Penal Code and chargesheet

Judgment

apl225.22 3

4

bearing RCC No.287/2018 pending before learned Chief Judicial Magistrate at Akola are hereby quashed.

Rule is made absolute in above terms.

JUDGE

JUDGE

!! BRW !!

BHUSHAN
RANA
WANKHEDE

Digitally
signed by
BHUSHAN
RANA
WANKHEDE
Date:
2022.03.15
18:05:43
+0530

...../-