

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

CRIMINAL APPLICATION (APL) NO. 631/2022

1. Shri. Hemraj s/o Domaji Bhende
Aged about 63 yrs. Occ. - Agriculturist.
2. Mrs. Jijabai w/o Hemraj Bhende.
Aged about 59 yrs. Occ.- Housewife.
Both are r/o Village Wad Dhamna,
Tahsil – Hingna District- Nagpur
3. Mrs. Nitu w/o Bholeswar Wath.
Aged about 40 yrs. Occ.- Housewife
r/o Pardi P.S. Pardi Nagpur.
4. Dr. Shashikant s/o Hemraj Bhende.
Aged about 37 yrs. Occ. - Ayurvedic
Medicines practitioner, R/o Plot
No.298, Gurudev nagar Nandanvan
P.S. Nandanvan, Nagpur 440009.

..... APPLICANT(S)

// VERSUS //

1. State of Maharashtra
Through P.S. Nandanvan Nagar,
Nagpur.
2. Mrs. Kiran w/o Dr. Shashikant Bhende.
Aged about 29 years.
R/o Plot No. 17 c/o Bhganwandas
Sendre, Shanti-Niketan Colony
Pratap Nagar, P.S. Pratap Nagar,
Nagpur-22.

.... NON-APPLICANT(S)

 Mr. P.K. Mishra, Advocate for the applicants
 Mr. I.J. Damale, APP for non-applicant no. 1
 Mr. P.R. Thote, Advocate for non-applicant no. 2

**CORAM : SUNIL B. SHUKRE AND
M. W. CHANDWANI, J.J.**

DATED : 08/12/2022

ORAL JUDGMENT : (PER:- SUNIL B. SHUKRE, J.)

Rule. Rule made returnable forthwith. Heard finally by consent.

2. The dispute is matrimonial and it has now been settled full and finally by non-applicant no. 2 and applicant no. 4. The applicants as well as non-applicant no. 2 i.e. complainant, are personally present before the Court. They are identified by their respective Counsel. They state that the matrimonial dispute is now settled and differences between the husband and wife have also been resolved finally after decree of divorce, on the basis of mutual consent, has been passed by the Family Court, Nagpur on 09.11.2022.

3. In view of the above, we find no impediment in allowing this application and accordingly, the application is allowed in terms of the prayer Clause (b), which reads as under:-

“b. Quash the F.I.R. 0584/2021 registered u/s sections 498-A, 323, 504 & 34 of I.P.C. at P.S. Nandanvan, Distt. Nagpur against the applicants no. 1 to 4 in the interest of justice.”

However, subject to condition that the applicants shall deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) as costs of the litigation in the account of the Office of the Government Pleader, High Court of Bombay, Nagpur Bench, Nagpur for the purpose of development of Library and so also, non-applicant no. 2 shall deposit an amount of Rs.1000/- (Rupees One Thousand only) in the account of the aforesaid Office of the Government Pleader within a period of two weeks from the date of the order, failing which, same shall be treated as fine amounts imposed upon them and the Registry shall proceed against the applicants and non-applicants no. 2 in accordance with law for realising the said fine amount.

4. Pending Criminal Application (APPP) No. 1899/2022 is also disposed of.

(M. W. CHANDWANI, J.)

(SUNIL B. SHUKRE, J.)

**SANDIP
MAHADEV
GATE**

Personal Assistant to the
Hon'ble Judge
Digitally signed by
SANDIP MAHADEV GATE
Date: 2022.12.08
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