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

CRIMINAL APPLICATION (APL) NO.855 OF 2021

1. Shri Anurag s/o Dhanraj Meshram,
Aged about 32 years, occupation service.
2. Shri Dhanraj s/o Nilkanth Meshram, aged
about 60 years.
3. Shri Sunil s/o Nilkanth Meshram, aged
about 54.
4. Shri Tushar s/o Dhanraj Meshram, aged
about 30 years.
5. Sau.Kalpana w/o Dhanraj Meshram, aged
about 56 years.

All r/o c/o Athar Ali, Ezzi Apartment, Flat
No.203, Opp.Hindi School, Vaishali Nagar,
Nagpur.

..... **Applicants.**

:: V E R S U S ::

1. State of Maharashtra, through its Police
Station Officer, Police Station – Gondia City,
District Gondia.

2. Sau.Megha w/o Anurag Meshram (Before
Marriage Megha d/o Vijay Bagde), aged about
29 years, occupation Govt.Service, r/o Presently at
Anurag Kirana Stores, Near Ramabai Ambedkar
School, Ambedkar Ward, Signal Toli, Asoli,
Gondia-441601.

..... **Non-applicants.**

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Shri U.Y.Sonkusare, Counsel for Applicants.

Shri S.S.Doifode, Additional Public Prosecutor for the State.

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CORAM : **V.M.DESHPANDE & AMIT B.BORKAR, JJ.**

DATE : **APRIL 01, 2022**

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

1. Heard learned counsel Shri U.Y.Sonkusare for applicants and learned Additional Public Prosecutor Shri S.S.Doifode for the State.

Rule. Rule made returnable forthwith. Heard finally by consent of learned counsel for parties.

2. By this application, under Section 482 of the Code of Criminal Procedure, applicants challenge registration of First Information Report No.144/2021 registered with Gondia City Police Station, Gondia for offence punishable under Section 498A read with Section 34 of the Indian Penal Code.

3. The First Information Report came to be registered against applicants with allegations that applicants mentally tortured non-applicant No.2 and, therefore, applicants are challenging the First Information Report.

4. Applicants and non-applicant No.2 have mutually resolved their dispute. Parties have tendered Compromise Deed dated 28.3.2022 which is signed by applicants and non-applicant No.2. The said Compromise Deed is taken on record and the same is marked as **Exhibit-X** for purposes of identification.

5. Having carefully considered allegations in First Information

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Report, we are satisfied that nature of offence against applicants is 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. In view of offence against applicants is personal in nature and in view of amicable compromise arrived at between parties, there is no impediment for quashing of the First Information Report. We, therefore, pass following order:

ORDER

The criminal application is allowed in terms of prayer clause (i) of the application.

Rule is made absolute in above stated terms.

JUDGE

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RANA
WANKHEDE

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JUDGE

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