

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

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CRIMINAL APPLICATION (APL) NO. 1213/2022

1) Himanshu s/o Mahesh Shukla
and others

.. Applicants

versus

1) The State of Maharashtra and another

.. Respondents

.....
Ms. P.M.Chandekar, Advocate for the applicants

Mr.S.S.Doifode, APP for respondent 1

Respondent 2 is present, in person.

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CORAM: ROHIT B.DEO &
ANIL L.PANSARE, JJ.

DATED : 23rd September, 2022.

P.C. :

The applicants are seeking quashment of the proceeding i.e. Regular Criminal Case No.437/2021 pending before the learned Chief Judicial Magistrate, Nagpur arising out of FIR bearing No. 20/2020 filed on 10.01.2020 registered by non-applicant 1/State, under section 498A of the IPC.

2. The applicant no.1 as well as the complainant are personally present in the Court. The complainant confirms that the matrimonial dispute is amicably settled between them. A *pursis* duly signed by her, stating that the matter has been amicably settled before the Family Court, Yavatmal is filed, which is self-explanatory. The same is taken on record and marked as Exh.'X' for the purpose

of identification. The respondent no.2 has in unequivocal terms, stated in the *pursis* that she has no grievance whatsoever against the applicant nos. 1 to 3 and does not want to proceed with the criminal case bearing RCC No. 437/2021 and that she has no objection for setting aside the FIR bearing No.20/2020.

3. We have interacted with the applicant no.1 as well as the non-applicant no.2. We are satisfied that the matter has indeed been settled between the parties.

4. In this view of the matter, we quash the proceedings in RCC No.437/2021, subject to the condition that within the next fifteen days, the applicants shall collectively deposit Rs.20,000/- (rupees twenty thousand) and the respondent no.2 shall deposit Rs. 20,000/- (rupees twenty thousand) in the registry of this Court. If the amount is deposited, the same shall be transferred by the registry to the account of the Police Welfare Fund, Nagpur City Nagpur.

5. If the amount is not deposited within the period stipulated supra, this Application be listed on Board under the caption 'for direction.

6. The Criminal Application is disposed of.

[ANIL L.PANSARE, J.]

sahare

[ROHIT B. DEO, J.]