

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

CRIMINAL APPLICATION (APL) NO.1632 OF 2022.

APPLICANTS :-

1. Harshada Rahul Komalkar,
Aged 26 years, Occup. House wife, r/o
Plot No.45, Ganesh Colony, Shirpur,
Tal.Shirpur, Dist. Dhule 425405
2. Sunanda Chudaman Sirsat, Aged 52
years. Occup. House wife, R/o Plot No.
45, Ganesh Colony, Shirpur, Tal.Shirpur,
Dist.Dhule, 425405

...VERSUS...

- NON APPLICANTS. :-
1. The State of Maharashtra, through Police
Station Officer, MIDC Hingna Police
Station, Nagpur.
 2. Monali Suresh Badukle, Aged 22 years,
Occup. Student R/o C/o Prakash Darokar,
Plot No.37,39 Mahajanwadi Wanadongri,
Hingna Tah.Hingna, Dist.Napur 441110.

Mr. B.J.Lonare, counsel for the applicants.
Ms.K.S.Joshi, Addl.G.P for the State non applicant No.1.
Mr.P.S.Wathore, counsel for non applicant No.2.

CORAM : SUNIL B.SHUKRE &
M.W.CHANDWANI, JJ.
DATE : 20.12.2022.

ORAL JUDGMENT (Per :Sunil B.Shukre, J.)

(1) Heard.

(2) Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.

(3) The applicants and non applicant No.2 all are personally present before the Court and they are identified by their respective counsel. Both of them submit that there is an amicable settlement reached in between them voluntarily, whereby they have agreed to withdraw all the criminal complaints and counter complaints filed against each other by them. They also submit that the reason for their settlement is the settlement reached between Harshada Rahul Komalkar i.e. applicant No.1 and her husband Rahul Uttamrao Komalkar and that they wish to live harmonious and peaceful life ahead. Considering the fact that there has now been amicable settlement between the parties and also the fact that now the parties have

buried all their differences and wish to live a normal and harmonious life ahead and also the fact that the basis of the allegations made in the First Information Report in question is a private dispute between the parties, we are of the opinion that this application can be allowed on the basis of the amicable settlement reached between the parties. Accordingly, the application is allowed in terms of its prayer clause which reads as under:-

“It is therefore, prayed that this Hon’ble Court be pleased to quash and set aside the First Information Report dated 3/5/2022 in Crime No.0343 of 2022 registered with respondent no.1 MIDC Nagpur City, Police Station, Nagpur for the offence u/s 354,354-D,507,509 of I.P.C and 67-a of Information and Technology Act 1967 against the applicants in the interest of justice”.

(4) This order is subject to the condition that the applicants shall deposit an amount of Rs.10,000/- and non-applicant No.2 shall deposit an amount of Rs.10,000/- as costs in the account of the Office of the Government Pleader, High Court Bombay, Bench at Nagpur so as to form part of the library fund, for the purpose of development of library within a period of two

weeks from the date of the order, failing which the Registry shall treat the costs so imposed upon the respective parties as fines imposed by this Court and shall proceed to recover the same in accordance with law.

(5) Rule is made absolute in the above terms.

(M.W.CHANDWANI,J)

(SUNIL B. SHUKRE,J)