

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

CRIMINAL APPLICATION [APL] NO.16 OF 2023

[Amol s/o Shriram Jadhav and others .vs. State of Maharashtra and one]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Ved R. Deshpande, Advocate for Applicants,
 Mrs. S.S. Jachak, Additional Public Prosecutor for Non-Applicant No.1-State,
 Shri V.A. Gosavi, Advocate for Non-Applicant No.2.

.....

CORAM : A.S. CHANDURKAR AND
MRS. VRUSHALI V. JOSHI, JJ.

DATE : 05/01/2023.

The applicant no.1 is the husband and the applicant nos.2 to 8 are the in-laws of the non-applicant no.2. They have filed this application under Section 482 of the Code of Criminal Procedure, 1973 for quashing of First Information Report bearing No.1385 of 2021 registered at Police Station Digras, District-Yavatmal under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

During pendency of the present proceedings, the matter was referred for mediation. In the mediation, the applicant no.1-husband and the non-applicant no.2-wife have agreed to terms of settlement that have been entered into and signed by them on 13.12.2022. As per those terms of settlement, they have agreed to seek divorce by mutual consent. Pending disputes have been resolved to be settled on the conditions mentioned in the terms of settlement which include withdrawal of all proceedings by the non-applicant no.2 as well as quashing of the charge-sheet bearing No.34/2022 and Regular Criminal Case No.60/2022

that have now been filed in the Court of learned Judicial Magistrate, First Class (Court No.2) Digras, District-Yavatmal.

The applicant no.1 and the non-applicant no.2 are present in the Court today. It is submitted by their learned counsel that in view of the terms of settlement, the criminal proceedings referred to above be quashed. The non-applicant no.2 has no objection to the quashing of the First Information Report and consequent charge-sheet in the light of the terms of settlement.

Considering the fact that the First Information Report has arisen from a matrimonial dispute and the parties to the marriage have now entered into the terms of settlement so as to put an end to the entire dispute as well as their relationship, the following order is passed :

(i) In the light of the terms of settlement dated 13.12.2022 and as the matrimonial dispute is sought to be resolved, First Information Report No.1385 of 2021 registered at Police Station, Digras, District-Yavatmal under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code as well as the charge-sheet bearing No.34/2022 and Regular Criminal Case No.60/2022 filed in the Court of learned Judicial Magistrate, First Class, Digras, District-Yavatmal stand quashed.

(ii) The parties shall act in accordance with the terms of settlement dated 13.12.2022.

(iii) The Criminal Application is allowed and disposed of.