

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

CRIMINAL APPLICATION (APL) NO. 225 OF 2023

- APPLICANTS :**
1. Aamer Ansari Mohammad Naser Ansari,
Aged about 38 years, Occ : Business,
R/o Mominpura Parbhani,
Tq. Dist. Parbhani.
 2. Ansari Sadiya Shewar Mohammad Naser,
Aged About 41 years, Occu : Teacher,
 3. Syed Sajed Syed Nasiruddin,
Aged About 46 years, Occu : Service,

Applicants no.1 & 2 and 3 are residents
of Dhar Road, Mumtaj Nagar,
Parbhani 431041.
 4. Shakera Begum Ansari Mohammad Khizer
Ansari, Aged About 49 years,
Occu : Household, R/o Dargah Road,
Galib Nagar, Parbhani 431041.
 5. Munni @ Nazneen Aamir Ansari,
Aged About 32 years, Occu : Household,
R/o Parbhani, Tq. & Dist. Parbhani.
 6. Chand Sultana Javeed Ansari,
Aged About 68 years, Occ : Household,
 7. Abdul Javeed Abdul Qayum Ansari,
Aged About 69 years, Occu : Labour,

Applicants No.6 & 7, R/o C/o Near
Samir STD Mominpura, Parbhani.
 8. Abdul Maruf Abdul Gafur,
Aged About 50 years, Occu : Service,
R/o Kendra Primary School,
Branch No.1, Parbhani.

VERSUS

- NON-APPLICANTS :**
1. The State of Maharashtra
Through its Police Station Officer,
Police Station Digras,
Dist. Yavatmal.

2. Shaziya Sehbar Aamer Ansari,
(Shaziya Sehbar D/o Shaikh Musa)
Aged About 26 years, Occu : Household,
R/o Ganga Nagar, Tq. Digra, S.
Dist. Yavatmal.

Shri T. S. Deshpande, Advocate for applicants.

Mrs. Mayuri Deshmukh, Additional Public Prosecutor for respondent
No.1-State.

Shri S. G. Varshani, Advocate for respondent No.2.

CORAM:- VINAY JOSHI AND
VALMIKI SA MENEZES, JJ.
DATED : 17/02/2023.

ORAL JUDGMENT : (PER VINAY JOSHI, J.) :

1. **Admit.** Heard finally with the consent of learned
counsel appearing for the parties.

2. This is an application seeking to quash FIR in Crime
No.1047/2021 for the offences punishable under Sections 498-A,
232, 504, 506 r/w Section 34 of the Indian Penal Code.

3. The informant - lady has lodged a report alleging
matrimonial harassment at the hands of applicants who are
husband and near relatives of husband. The marriage between the
couple took place on 25/02/2021 and within few months from
marriage, dispute arose in between them. Thereafter, the
informant started to reside separately and lodged a report.

4. The police investigated the matter and filed charge
sheet in the Court of concerned Magistrate.

5. Since the couple is young having no issue, with intervention of friends and relatives, the matter is settled. It was decided that the couple would withdraw the rival cases filed against each other. They have settled the matter with a view that their marriage may not be worked due to differences and having regard to the young age, they would lead their life as per their wishes.

6. The parties have filed copy of joint affidavit regarding the terms of settlement. The informant is present in Court who has been identified by her Advocate. We have asked the informant about the settlement to which she agreed and gave consent for quashing of First Information Report. The informant is present in Court along with her father namely Sheikh Musa.

7. By and large, it is matrimonial dispute which has been settled in between the parties and therefore, the continuation of trial would be futile exercise. Therefore, we are inclined to invoke our inherent jurisdiction. We also refer the statement of applicant No.1 - Aamer Ansari Mohammad Naser Ansari (husband) that he would withdraw criminal case filed by him bearing RCC No.167/2022 which is pending in the Court of Judicial Magistrate First Class, Parbhani and would withdraw his suit for declaration pending in the Family Court, Parbhani. We take his statement as

undertaking given to this Court.

8. In view of the above, application is allowed.

9. We quash First Information Report in Crime No.1047/2021 registered with Digras Police Station, Dist. Yavatmal along with related Criminal Case bearing RCC No.254/2021 pending on the file of Judicial Magistrate First Class, Digras, Dist. Yavatmal.

10. The application is disposed of, in the above terms.

[VALMIKI SA MENEZES, J.]

[VINAY JOSHI, J.]

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