

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

CRIMINAL APPLICATION [APL] NO. 406 OF 2022.

Pravin s/o Shyamrao Tantrapale,
Aged 35 years,
Occupation – Service,
resident of Plot No.49, Dwarkapuri,
Near Nagoba Temple, Ajni,
Nagpur.

... **APPLICANT.**

VERSUS

1.The State of Maharashtra,
Through Police Station Officer,
Police Station Ajni,
Taluq and District Nagpur.

2.Smt. Jaymala w/o Sunil Khandekar,
Aged 50 years,
Occupation – Household,
resident of Dwarkapuri, Ring Road,
Near House of Mahendra Gajbhiye,
Nagpur.

... **NON-APPLICANTS.**

Mr. J.K. Matale, Advocate for the Applicant.
Mr. S.A. Ashirgade, Addl.P.P. for Non-applicant No.1 /State.
Non-applicant No.2 – Served.

**CORAM : VINAY JOSHI AND
VALMIKI SA MENEZES, JJ.**

DATE : FEBRUARY 16, 2023.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Considering the controversy involved in the matter, and by consent of the learned Counsel appearing for the respective parties, Criminal Application is taken up for final disposal at the stage of admission.

Admit.

2. This is an application in terms of Section 482 of the Code of Criminal Procedure. Non-applicant No.2 has lodged a report alleging that her son-in-law and his family members have assaulted her, and brother of son-in-law has outraged her modesty.

3. It is submitted that during the pendency of the proceedings, the matter has been amicably settled. Parties have

prepared consent terms to that extent.

4. Applicants family members have approached this Court in Criminal Application No. 265/2016 seeking to quash the first information report. In said proceeding this Court took a note about settlement and accordingly quashed the first information report to their extent.

5. It is informed that daughter of informant, who is wife of the applicant is staying with the applicant happily. It was a domestic matrimonial dispute, which has been now resolved. Looking to the welfare of the couple, the continuation of prosecution would be against the interest of justice. Moreover, as the matter is settled, no purpose would be served in continuing the prosecution. Moreover quashing of prosecution would be in the interest of saving marriage of informants' daughter.

6. In view of above, Criminal Application is allowed and disposed of.

Rgd.

7. The first information report bearing Crime No.49/2016 registered with Ajni Police Station, Nagpur for the offence punishable under Sections 354, 325 read with Section 34 of the Indian Penal Code is hereby quashed and set aside.

JUDGE

JUDGE