

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

CRIMINAL APPLICATION (APL) NO. 521 OF 2021

- APPLICANTS :**
1. Chetan S/o Vijaykumar Agrawal,
Aged 29 years, Occ. Service,
R/o Queensland C/4-402, Viman Nagar,
Pune.
 2. Sau. Lekha W/o Aditya Kejriwal,
Aged 33 years, occ. Self-employed,
R/o F-E-1/702 Madhuban Society,
Kalash Area, Vishrantwadi, Pune.
 3. Aditya Kailash Kejriwal,
Aged 34 years, Occ. Business,
R/o Madhuban Society,
Kalash Area, Vishrantwadi, Pune.
 4. Sau. Grishma Sanket Paldiwal,
Aged 31 years, Occ. Self-employed,
R/o. Gujrati Gali, Chandabai Plot,
Bus stand Lane, Shegaon,
Dist - Buldhana.
 5. Sanket S/o Kailash Paldiwal,
Aged 34 years, Occ. Business,
R/o Gujrati Gali, Chandabai Plot,
Bus stand Lane, Shegaon,
Dist - Buldhana.
 6. Dr. Sau. Kanta Bhattulal Agrawal,
Aged 60 years, Occ. Housewife,
R/o F-1/202 Ganga Carnation Society,
Koregaon Park, Pune.

V E R S U S

- RESPONDENTS :**
1. State of Maharashtra
Through Police Station Officer,
Police Station, Umerkhed,
District - Yavatmal.
 2. Sau. Pooja w/o Chetan Agrawal,
aged about 27 years, Occ. Service,
R/o. Khadakpur Chowkh,
Umerkhed, Taluka Umerkhed,
Dist - Yavatmal.

Shri Kshitij Jain, Advocate for applicants.
Shri N. R. Rode, A. P. P. for respondent No.1.
Ms. Shreya Jain, Advocate for respondent No.2.

CORAM:- VINAY JOSHI AND
VALMIKI SA MENEZES, JJ.
DATED : 04/08/2023.

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.0155/2021 registered for the offences punishable under Sections 323, 498-A, 504, 506 r/w Section 34 of the Indian Penal Code and related charge sheet on account of settlement.
3. The couple got married on 24/05/2020, however, within short time, there was matrimonial discord. The wife started to reside separately within six months from marriage. Due to matrimonial harassment, she has lodged a report.
4. Due to intervention of friends and relatives, the parties have settled their differences in view of short tenure of marriage. The couple has no issue from the marriage. The parties decided to obtain Decree of Divorce and severed matrimonial ties. In accordance with settlement, they have jointly applied for divorce

under Section 13-B of the Hindu Marriage Act, 1955. In pursuance of that, Decree of Divorce was passed on 11/11/2022. The husband has agreed to pay total sum of Rs.4,00,000/- to the wife towards one time settlement. The said amount has also been paid to the wife.

5. Today, the informant (wife) is present before us. She is identified by her Advocate Ms. Shreya Jain. She has filed pursis that she do not want to continue criminal prosecution on account of settlement. On our query, she has accepted the settlement, receipt of amount and stated about no objection to continue the prosecution. It is matrimonial dispute, which has no social impact. Since the parties have settled the matter, there is no purpose in continuing the prosecution.

6. In view of above, application is allowed. We hereby quash and set aside the FIR in Crime No.0155/2021 registered for the offences punishable under Sections 323, 498-A, 504, 506 r/w Section 34 of the Indian Penal Code and related charge sheet.

[VALMIKI SA MENEZES, J.]

[VINAY JOSHI, J.]

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**VITHAL
MAROTRAO
CHOULWAR**

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