

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

CRIMINAL APPLICATION NO.622 OF 2022

Mayur Murlidhar Nayak and others

vs.

State of Maharashtra, through PSO, P.S.Bajaj Nagar, Nagpur and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs R.S.Sirpurkar, Advocate for the applicants.

Mrs. S. S. Jachak, Additional Public Prosecutor for non-applicant no.1/State.

Mrs. Nisha N. Burange, Advocate for non-applicant no.2.

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

DATE :- JANUARY 04, 2023.

The applicant no.1-husband and the applicant nos. 2 and 3, his parents and in-laws of the non-applicant no.2, have filed this application under Section 482 of the Code of Criminal Procedure, 1973 for quashing of First Information Report bearing No.137 of 2021 registered at Bajaj Nagar Police Station, Nagpur 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 21.12.2022. 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 that has now been filed in the Court of learned Judicial Magistrate, First Class, Nagpur.

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 21.12.2022 and as the matrimonial dispute is sought to be resolved, First Information Report No.137 of 2021 registered at Bajaj Nagar Police Station, Nagpur, under Sections 498 A, 323, 504, 506 read with Section 34 of the Indian Penal Code as well as the charge-sheet filed in the Court of learned Judicial Magistrate, First Class, Nagpur stands quashed.
- (ii) The parties shall act in accordance with the terms of settlement dated 21.12.2022.
- (iii) The Criminal Application is allowed and disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar..