

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

CRIMINAL APPLICATION [APL] No. 600/2023.

1.Sumit Jayant Kolhatkar,
Aged about 34 years, Occupation
Service,

2.Saurabh Jayant Kolhatkar,
Aged about 37 years, Occupation
Service,

3.Priya Saurabh Kolhatkar,
Aged about 38 years, Occupation
Service,

4.Anjali Jayant Kolhatkar,
Aged about 60 years, Occupation
None,

All resident of Meera Govind Villa,
Santaji Society, Manish Nagar,
Nagpur - 440037.

... **APPLICANTS.**

VERSUS

1.The State of Maharashtra,
through Police Station Officer,
Police Station Gadge Nagar,
Amravati.

Rgd.

2.Sau. Pranita Sumit Kolhatkar,
Aged about 30 years, Occupation
None, resident of Arpan Shree
Apartment, Khodke Line, Gadge
Nagar, Amravati.

... **NON-APPLICANTS.**

Mr. N.B. Jawade, Advocate for Applicants.
Mr. V.A. Thakare, A.P.P. for Non-applicant No.1/State.
Mr. K.R. Lule, Advocate for Non-applicant No.2.

CORAM : VINAY JOSHI AND

BHARAT P. DESHPANDE, JJ.

DATE : MAY 03, 2023.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard. Considering the controversy involved in the matter and by consent of the learned Counsel for the parties, the matter is taken up for final disposal.

Admit.

2. This is an application seeking to quash the first information report bearing Crime No.50/2023 registered with the Gadge Nagar Police Station, Amravati for the offence punishable

Rgd.

under Section 498-A read with Section 34 of the Indian Penal Code, on account of settlement.

3. The couple got married on 26.06.2021. After marriage the informant was subjected to cruelty, for which she has lodged the report. The couple is young, having no issue from the marriage. With the intervention of relatives, they have decided to settle the dispute. The terms of settlement have been fixed and incorporated in Misc. Civil Application dated 03.05.2023, which is tendered in the Court today. The same is taken on record and marked "A" for identification.

4. As per the terms, parties have decided to apply for divorce by mutual consent. The husband undertakes to pay an amount of Rs.8 lakhs to the wife towards full and final settlement. A demand draft would be handed over to the wife today only. The informant lady is present in the Court and is identified by Advocate Shri K.R. Lule. On query, informant states that she has accepted the terms of settlement and gave no objection for quashing of the first

Rgd.

information report.

5. This is a matrimonial dispute, which cannot be termed as heinous or of antisocial nature. In order to secure the future, both have mutually decided to get separated. Having regard to the nature of accusation and betterment of the couple, continuation of criminal prosecution would be an abuse of the process of Court. In view of that, we are inclined to exercise our inherent powers and pass the following order.

ORDER

- [i] Criminal Application is allowed and disposed of.
- [ii] The first information report bearing Crime No.50/2023 registered with the Gadge Nagar Police Station, Amravati for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, on account of settlement. is hereby quashed and set aside.

JUDGE

JUDGE