

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

CRIMINAL APPLICATION [APL] No. 788/2023.

1.Mehul s/o Shyamlal Vidhani,
Aged about 31 years, Occupation – Business,

2.Shyamlal s/o Lokumal Vidhani,
Aged about 61 years, Occupation – Business,

3.Ritu w/o Shyamlal Vidhani,
Aged about 58 years, Occupation – Housewife,

4.Kartik s/o Shyamlal Vidhani,
Aged about 27 years, Occupation – Business,

All are residents of 121, C-Sector, Indrapuri,
B.H.E.L. Bhopal. ...

APPLICANTS.

VERSUS

1.State of Maharashtra,
through Police Station Officer,
Police Station Jaripatka,
Nagpur, District Nagpur.

2.Yashika @ Garima Vidhani w/o
Mehul Vidhani,
Aged about 32 years, Occupation -
Housewife, resident of Block No.305-A,
Khushi Niwas, Jaripatka,
Nagpur. ...

NON-APPLICANTS.

Rgd.

Mr. A. Subhan, Advocate for Applicants.
Mr. N.R. Rode, A.P.P. for Non-applicant No.1 - State.
Mr. M.A. Qureshi, Advocate for Non-applicant No.2.

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

DATE : JUNE 28, 2023

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Considering the controversy involved in the matter and with the consent of the learned Counsel appearing for the respective parties, the matter 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 seeking quashing of the first information report in connection with Crime No.64/2022 registered with Jaripatka Police Station, Nagpur for the offence punishable under

Rgd.

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

3. At the instance of a report lodged by non-applicant no.2 lady, a crime came to be registered for the aforesaid offences. With the intervention of relatives, the matrimonial dispute has been settled. Their marriage has been dissolved by decree of divorce dated 02.05.2023 by the Family Court, Nagpur. In view of the aforesaid position, the informant lady desires to withdraw the criminal prosecution. She has also filed reply-affidavit to that effect, which is taken on record and marked "X" for identification. The informant – non-applicant no.2 is personally present before the Court and is identified by her Advocate. The informant has stated about the settlement, and her non-inclination to prosecute the criminal case.

4. In view of above position, continuation of criminal prosecution would be an abuse of the process of Court. In view of that, Criminal Application is allowed and disposed of.

Rgd.

The first information report bearing Crime No.64/2022 registered with Jaripatka Police Station, Nagpur for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, is hereby quashed and set aside.

JUDGE

JUDGE