

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

CRIMINAL APPLICATION [APL] No. 804/2023.

1. Anand s/o Davalmalik Jambhale,
Aged 38 years, Occupation – Service,

2. Girija w/o Davalmalik Jambhale,
Aged 62 years, Occupation – Housewife,

3. Sachin s/o Davalmalik Jambhale,
Aged 34 years, Occupation –

4. Shalini Shrinivas Hulsure,
Aged 41 years, Occupation – Housewife,

5. Sarika w/o Nilesh Kamble,
Aged 43 years, Occupation – Service,

All applicants 1 to 5 are residents of
1006, Ambe Lawn Society, Dattnagar,
Katraj, Pune, District Pune.

...

APPLICANTS.

VERSUS

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

2. Snehal w/o Anand Jambhale,
Aged about 33 years, Occupation -

Rgd.

Service, resident of Plot no.79,
Amarjyoti Nagar, Nara Road,
Bhim Chowk, Jaripatka, Nagpur
440014.

... **NON-APPLICANTS.**

Mr. R.D. Lilhare, Advocate h/f. Shri S.S. Dhengale, Advocate
for Applicants.
Mr. V.A. Thakare, A.P.P. for Non-applicant No.1 - State.
Mr.K.N. Jain, Advocate for Non-applicant No.2.

CORAM : VINAY JOSHI AND

VALMIKI SA MENEZES,, JJ.

DATE : JUNE 20, 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 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

Rgd.

of Criminal Procedure seeking quashing of the first information report in connection with Crime No.1361/2019 registered with Jaripatka Police Station, Nagpur for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, along with related charge sheet bearing R.C.C.No.2375/2020 pending on the file of Judicial Magistrate, First Class, Nagpur, 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 and since 28.07.2021, the husband and wife are residing together. In view of the mutual settlement, the informant lady desires to withdraw the criminal prosecution. She has also filed an affidavit to that effect, which is taken on record and marked "X" for identification. The informant – non-applicant no.3 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.

Rgd.

4. Since there is re-union of the couple, continuation of criminal prosecution would be an abuse of the process of Court. In view of that, Criminal Application is allowed and disposed of.

The first information report bearing Crime No.1361/2019 registered with Jaripatka Police Station, Nagpur for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code, along with related charge sheet bearing R.C.C.No.2375/2020 pending on the file of Judicial Magistrate, First Class, Nagpur is hereby quashed and set aside.

JUDGE

JUDGE