



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

CRIMINAL APPLICATION (APL) NO. 1191 OF 2023

- APPLICANTS:** 1. **Tushar S/o Shatrughna Kale,**
(Org. Accused) Aged 35 yrs, Occu. Engineer,
(Husband).
2. **Shatrughna S/o Chinakaji Kale,**
Aged 60 yrs, Occu. Ex-Servicemen,
(Father-in-law).
3. **Sou. Sadhana W/o Shatrughna Kale,**
Aged 55 yrs, Occu. Household work,
Applicants No.1 to 3 R/o Sambhaji Nagar,
Mehakar, Tq. Mehakar, Distt. Buldhana.
(Mother-in-law).
4. **Sou. Minal W/o Aniruddha Bonde,**
Aged 35 yrs, Occu. Service,
(Sister-in-law).
5. **Aniruddha S/o Vishwanath Bonde,**
Aged 42 yrs, Occu. Service,
Applicants No.4 & 5 R/o B-303 Nisargkiran
Society No.32/3-B, Shri. Krishna Colony,
Rahtani, Pune City - 411027.
(brother-in-law).
6. **Subhash S/o Narayanrao Borkar,**
Aged 55 yrs, Occu. Agriculturist,
R/o Rithad, Tq. & Distt. Washim.
(Maternal uncle).
7. **Sou. Anuradha W/o Rajendra Sawant,**
Aged 50 yrs, Occu. Household work,
R/o Room No.502, Shubham CHS,
Plot No.D-2, Near Bank of India,
Sector 20, Airoli S. O. Thane,
Navi Mumbai - 400708.
(Maternal Aunt).

// VERSUS //

- RESPONDENTS :** 1. **State of Maharashtra**
Through Police Station Officer,
City Police Station, Karanja Lad,
Tq. Karanja, Distt. Washim.

(Org. Complt.)

2. **Sou. Vishakha W/o Tushar Kale,**
Aged 28 Yrs, Occu. Engineer,
R/o Sambhaji Nagar, Mehakar,
Tq. Mehakar, Distt. Buldhana.

Shri P. S. Thakur, Advocate for applicants.

Shri N. R. Rode, Additional Public Prosecutor for respondent No.1.

Shri N. D. Borkar, Advocate for respondent No.2.

CORAM:- VINAY JOSHI AND

VALMIKI SA MENEZES, JJ.

DATED : 04/09/2023.

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 as well as charge sheet arising out of Crime No.0031/2022 registered for the offences punishable under Sections 498-A, 504, 506, r/w Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, 1961 on account of settlement.

3. The related FIR has been filed by the respondent No.2 - wife on account of alleged matrimonial harassment. Though the investigation is complete, however, with the aid and intervention of the relatives, the parties have mutually settled the dispute. It was agreed that both shall withdraw all the allegations, pending cases and reside together. A copy of Settlement Deed has been filed. The informant - wife has filed her affidavit stating about the settlement and non-inclination to go on with the prosecution.

4. Today, the informant - wife is present before us, who is identified by her Advocate Shri N. D. Borkar. On our query, she has accepted the settlement and her non-inclination to go on with the prosecution. Particularly, she stated that the matter is settled and since last one and half month, she is residing with her husband. Since the matrimonial dispute has been resolved, there is no purpose in keeping the prosecution pending, which would become an impediment in the smooth sailing of the marriage. In view of that, we deem it appropriate to invoke our inherent jurisdiction.

5. Application is allowed. We hereby quash and set aside FIR relating to Crime No.0031/2022 registered for the offences punishable under Sections 498-A, 504, 506, r/w Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act, 1961 along with related criminal case bearing RCC No.150/2022 pending on the file of Judicial Magistrate First Class, Karanja Lad, Dist. Washim.

6. The application stands disposed of accordingly.

[VALMIKI SA MENEZES, J.]

[VINAY JOSHI, J.]