



Judgment

10 apl 1342.21

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

CRIMINAL APPLICATION (APL) NO. 1342/2021

1. Dhirajsingh s/o. Balramsingh Jatpele,
Aged 27 yrs., Occ. Business,
2. Balramsingh Munshisingh Jatpele,
Aged 60 yrs., Occ. Business,
3. Sau. Bhanubai Balramsingh Jatpele,
Aged 50 yrs., Occ. Housewife,
4. Sau. Mamta Balramsingh Jatpele,
Aged 35 yrs., Occ. Doctor,
5. Govind s/o. Balramsingh Jatpele,
Aged 22 yrs., occ. Student,

All the applicant Nos. 1 to 5 are
R/o. Sindhi Colony, Bara Kholi,
Gondia, Dist. Gondia,

6. Premlata Radheshyam Jatpele,
aged 48 yrs., Occ. Housewife,
R/o. Yadav Chowk, Barakholi,
Gondia, Dist. Gondia.

... **APPLICANTS**

VERSUS

1. State of Maharashtra,
through Police Station
Gondia-City, Dist. Gondia.
2. Sau. Shruti w/o. Dhirajsingh
Jatpele, aged about 20 yrs.,
Occ. Housewife,

2

R/o. C/o. Mohansingh Chouhan,
Shastri Ward, Panchayat Samitiy
Colony, near Patwari Bhavan, Gondia,
Dist. Gondia.

...NON-APPLICANTS.

Mr. S. S. Dhengale, Advocate for applicants.
Mr. S.S. Doifode, APP for non-applicant No.1.
Mr. S. Y. Rawate, Advocate h/f Mr. S. Jaiswal, Advocate for non-
applicant No.2.

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

DATE : 12.10.2023

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

2. **Admit.**

3. This is an application seeking to quash First Information Report ('FIR') vide Crime No. 874/2021 registered with Police Station, Gondia City, Dist. Gondia for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code on account of mutual settlement.

4. Feeling matrimonial harassment, wife has lodged report against her husband and relatives of the husband. During meantime, with the aid of Mediator, matter has been resolved. It was decided

3

that the parties shall dissolve the marriage by decree of divorce and husband would pay total sum of Rs. 11,00,000/- to wife. We have taken note in our order dated 10.10.2023 that wife has appeared before this Court and gave her no objection to quash and set aside the proceeding on account of mutual settlement. The entire agreed sum has been paid by the husband to the informant lady. Since it is matrimonial dispute, it cannot be termed as heinous and anti-social offence.

5. In view of above, we are inclined to exercise our inherent powers. Hence, application is allowed. We hereby quash and set aside FIR vide Crime No. 874/2021 registered with Police Station, Gondia City, Dist. Gondia for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code on account of mutual settlement.

6. Application stands disposed of in above terms.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)