



Judgment

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

CRIMINAL APPLICATION (APL) NO. 123/2024

1. Rajkumar s/o. Nandlal Jaiswal (Husband),
Aged 36 years, Occ. Labour,
2. Smt. Ramrati w/o. Nandlal Jaiswal
(Mother in law) Aged 76 yrs.,
Occ. Household,

Both 1 and 2 are R/o. Plot No.2,
Swastik Nagar, Dongre Layout,
Jaitala Road, Nagpur 440036.

3. Savita w/o. Sanjay Jaiswal,
(sister in law), Aged 41 yrs.,
Occ. Household,
4. Sanjay Jagannath Jaiswal
(Brother in law), Aged 45 yrs.,
Occ. Private,

Both 3 and 4 are R/o. Plot No.117,
C.R.P.F. Road, near Shivangaon, Gandhi
Chowk, Thakre Mohalla, Nagpur 440005,

5. Mamta w/o. Prahulalji Jaiswal
(Sister in law) Aged 44 yrs.,
Occ. Household, R/o. Prabhulal Jaiswal,
Ward No.1, Bela, Nagpur – 441108.

... **APPLICANTS**

VERSUS

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1. State of Maharashtra,
through Police Station Officer,
Police Station Ajni, Nagpur.
2. Smt. Priyanka @ Urvashi w/o.
Rajkumar Jaiswal, Aged 30 yrs.,
Occ. Private, R/o. Plot No.86-B,
Jai Gurudev Nagar, Manewada,
Nagpur – 440034.

... NON-APPLICANTS

Mr. V.N. Mate, Advocate for applicants.
Mr. A. B. Badar, APP for non-applicant No.1.
Mr. B. Shrivasa, Advocate for non-applicant No.2.

CORAM : VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.
DATE : 25.01.2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

2. **Admit.**

3. The informant (non-applicant No.2 has appeared suo motu through her counsel Mr. B. Shrivasa.

4. Both parties are seeking to quash charge-sheet bearing RCC No. 354/2022 arising out of Crime No. 273/2021 registered

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with Police Station Ajni, Nagpur for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code on account of mutual settlement.

5. The couple got married on 18.04.2018, on which the informant started to live with the applicant-husband along with his family. Since there was a matrimonial harassment, she lodged report. The Police completed investigation and filed charge-sheet.

6. Multiple proceedings are pending between the parties at different Courts. Both have realized that there is no purpose in continuation of prosecution. In view of that, both have settled the dispute with the intervention of counselor of the Family Court. It was decided that they should put to an end to the matrimonial relations and would withdraw all the rival allegations. In pursuance of that, husband has deposited agreed sum of Rs. 1,00,000/- in the Family Court.

7. Today, the informant is present before us. She has filed affidavit stating about the settlement and her no objection to quash the proceeding. On our query, she accorded her no objection to quash the proceeding.

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8. It is purely a domestic dispute in between the parties. Both have voluntarily severed matrimonial ties for betterment of their future. The offence cannot be termed as heinous and antisocial.

9. In view of above, application is allowed. We hereby quash and set aside charge-sheet bearing RCC No. 354/2022 arising out of Crime No. 273/2021 registered with Police Station Ajni, Nagpur for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code on account of mutual settlement.

10. Application stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)