



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

CRIMINAL APPLICATION (APL) NO. 138 OF 2024

(Vanshika Suresh Dodewar and others vs. State of Maharashtra and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. Chaitanya Kulkarni, Advocate for applicants.

Mr. U.R.Phasate, APP for respondent No.1.

Mr. S.S.Adhau, Advocate for respondent No.2.

CORAM : VINAY JOSHI AND ABHAY J. MANTRI, JJ.

DATE : OCTOBER 22, 2024

- 1) Heard.
- 2) This is application seeking to quash FIR on account of settlement in Crime No.0349/2022 dated 12/12/2022 registered with Police Station Juni Kamptee District Nagpur City for the offence punishable under Sections 294, 307, 315, 316, 318, 379, 406, 495, 496, 497 read with 34 of the Indian Penal Code, 1860.
- 3) Essentially it is a matrimonial dispute. The mother-in-law has alleged a report against the daughter-in-law and her parents making variety of allegations. Initially, the police did not take cognizance, therefore, informant has applied to the Magistrate, who in turn directed the Police to register a crime in terms of Section 156(3) of the Code. The informant mother-in-law made variety of allegations against the lady. So far as the grave offence punishable under Section 307 is concerned, allegation is about giving of push and kick at the stomach. So also the other allegations are about in orderly

behavior with the lady. The couple had no issues from the marriage.

4) With the aid and intervention of the relatives, the matter is settled. The couple decided to sever their matrimonial ties. They have jointly applied for decree of divorce. The husband has agreed to pay Rs.6,00,000/- (Rupees Six Lakhs), out of which Rs.3,00,000/- (Rupees Three Lakhs) has already been paid.

5) Today, the informant lady is present, who has identified by her Counsel. The informant's son Suresh (husband) is also present. Both of them stated about the settlement and no objection to quash proceeding. The informant has filed reply stating her no objection. The offence cannot be said to be heinous or anti social, in fact it is matrimonial dispute. Since there is a settlement, continuation of the prosecution amounts to abuse of process of the Court.

6) In view of above, the application stands allowed. We hereby quashed and set aside the FIR in Crime No.0349/2022 dated 12/12/2022 registered with Police Station Juni Kamptee District Nagpur City.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)

KOLHE