



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

CRIMINAL APPLICATION NO.97 OF 2024

Chandrashekhar Samadhanji Shendare,
aged about 50 years, Occ. Agriculturist,
R/o Ashti, Bhatkuli, Tq. Bhatkuli,
District Amravati.

... APPLICANT

VERSUS

1. State of Maharashtra, through
Police Station Officer, Police Station,
Walgaon, Tq. & District Amravati.
2. Sangita w/o Kishor Shendare, aged
about 40 years, Occ. Household, R/o
Ashti, Bhatkuli, Tq. Bhatkuli, District
Amravati.

... NON-APPLICANTS.

Ms. A.R. Sharma, Advocate for the applicant.
Shri Khan, Addl.PP for the State.
Shri A.S. Ambatkar, Advocate for non-applicant no.2.

CORAM : VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.
DATED : 17.01.2024.

ORAL JUDGMENT : (Per : Vinay Joshi, J.)

Heard. ADMIT.

2. The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.

3. The informant has appeared through the learned Counsel by waiving notice and filed reply-affidavit stating no objection to quash the proceedings.

4. By this application, the applicant is seeking to quash the First Information Report bearing Crime No.247 of 2023 registered with the Balgaon Police Station, Amravati City for the offence punishable under Sections 354, 354-B, 294, 506 of the Indian Penal Code, on account of mutual settlement.

5. It is the informant's case, that the applicant is her real brother-in-law residing in the neighborhood. The informant's daughter had performed love marriage which was disliked by the applicant. On 11.08.2023, around 4.00 p.m. while the informant was cleaning cattle shade, the applicant abused her in filthy language and outraged her modesty by touching her inappropriately as well as tried to disrobe her. On account of said occurrence, the report has been lodged.

6. It is informed that yet charge-sheet has not been filed. The parties have arrived on mutual settlement. The informant lady is

present in the Court. She stated that since the matter has been settled, she has filed reply stating her no objection to quash the proceedings. She added that the applicant is her real brother-in-law and thus, continuation of proceeding would be detrimental to her matrimonial life. It reveals that the parties are residing in the neighborhood and particularly, they are closely related to each other. The informant has filed the report against her brother-in-law. Certainly, continuation of prosecution has repercussion on informant's relationship with her husband. Presently, the informant has no grievance and to have cordial relations she has settled the matter. Learned Counsel for the applicant upon instruction made a statement that since the police machinery has rotated, the applicant would deposit sum of Rs.10,000/- towards costs.

7. In the above peculiar facts, interest of justice would be secured by quashing of proceedings rather than continuing one. In view of that, we are inclined to exercise our inherent jurisdiction. Hence the following order :

(a) The Criminal Application is allowed.

(b) We hereby quash and set aside the the First Information Report bearing Crime No.247 of 2023 registered with the Balgaon

Police Station, Amravati City for the offence punishable under Sections 354, 354-B, 294, 506 of the Indian Penal Code.

(c) The applicant shall deposit the costs amount of Rs.10,000/- within two weeks from today with the High Court Legal Services Sub-Committee, Nagpur.

8. The matter shall be placed on 02.02.2024 for noting compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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