



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

CRIMINAL APPLICATION (APL) NO.184/2024

1. Rahul S/o Shrinivas Pande,
aged about 28 Yrs., Occu. Business
(husband)
2. Shrinivas S/o Durgashankar Pande,
aged about 63 Yrs., Occ. Service
(father-in-law)
3. Mrs. Uma W/o Shrinivas Pande,
aged about 57 Yrs., Occ. Housewife
(mother-in-law)

All R/o House No.8 City Park
Phase-I, behind Mopka Petrol Pump,
Bilaspur, Chattisgarh - 495 006.

... Applicants

- Versus -

1. The State of Maharashtra,
through its Police Station Officer,
Police Station Shantinagar, Tah &
Dist. Nagpur.
2. Astha W/o Rahul Pande,
aged about 24 Yrs., Occ. Housewife,
R/o Plot No.74, Near Jerman Factory
Near Mudliyar Layout, Shantinagar,
Nagpur 440 002.

... Non-applicants

Mr. P. Vairagade, Counsel for the Applicants.
Mr. A.B. Badar, A.P.P. for Non-applicant No.1.
Ms. Yukti Chordiya, Counsel for Non-applicant No.2.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 1.2.2024.

ORAL JUDGMENT (Per Vinay Joshi, J.)

Heard. **Rule.** Rule made returnable forthwith.

Heard finally by consent of learned counsel for the parties.

2. This is an application seeking to quash chargesheet (Regular Criminal Case No.762/2023) arising out of Crime No.0255/2022 registered by non-applicant No.1 Police Station Shantinagar, Nagpur for the offence punishable under Sections 323, 498-A, 504 and 506 of the Indian Penal Code on account of settlement.

3. The couple got married on 3.2.2022 on which the informant started residing with her husband and in-laws. On perceiving the harassment she has lodged a report on 13.8.2022. The police investigated and filed final report in the Court of jurisdictional Magistrate. The couple hardly lived together for

four months and thereafter due to temperamental discord they got separated. In the meantime, both have realized that it is not possible for them to live together and hence with intervention of relatives they have arrived on amicable settlement. The couple has no issue from the marriage. They decided to sever matrimonial ties and one time maintenance of Rs.8,00,000/- has been deposited in Family Court.

4. Today the informant has appeared *suo motu* through learned Counsel and filed affidavit stating about settlement and her no objection to quash the proceedings. It is informed that already petition for divorce by mutual consent in terms of Section 13B of the Hindu Marriage Act has been filed. The husband has deposited sum of Rs.8,00,000/- in the Family Court. The informant wife is present before us who has consented for quashing of the proceedings.

5. It is a domestic dispute which cannot be termed as heinous or against the society. Both have consciously took

decision to sever matrimonial ties. In order to further the mutual arrangement we deem it appropriate to invoke our inherent powers. In view of that, application is allowed. We hereby quash and set aside criminal prosecution namely Regular Criminal Case No.762/2023 arising out of Crime No.0255/2022 registered by non-applicant No.1 Police Station Shantinagar, Nagpur for the offence punishable under Sections 323, 498-A, 504 and 506 of the Indian Penal Code.

Application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)