



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

CRIMINAL APPLICATION (APL) NO.339/2023

(Smt. Nanda Wamanrao Thosar and others Vs. State of Maharashtra and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H.N. Bhondge, Advocate for the applicants.
Mr. Anant Ghogre, A.P.P. for non-applicant No.1/State.
Mr. V.B. Bhise, Advocate for non-applicant No.2.

CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 7.10.2024.

Heard.

2. This is an application seeking to quash F.I.R. in Crime No.0546/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A and 504 read with Section 34 of Indian Penal Code on account of settlement.

3. The couple got married in the year 2010. The couple had one daughter, however, the husband died on 29.10.2020. The informant was staying with her in-laws and on feeling matrimonial harassment she has lodged the report. The informant has also filed application under the provisions of Protection of Women from Domestic Violence Act. The matter is settled before the Judicial Magistrate by arriving into compromise deed. As per settlement deed the applicants have already paid Rs.4,00,000/- and today they are handing over demand draft of Rs.4,01,600/- in the name of daughter towards full and final settlement. The informant is present before us who has filed a pursis stating about the settlement and her no objection to quash the proceedings.

4. The informant's learned Advocate pointed out that there is some spelling mistake in the name in demand draft.

Applicants' learned Advocate would submit that if demand draft is not encashed, they will replace the same within one week. The applicants are present before us who undertake to this Court accordingly.

5. It was a matrimonial dispute. The husband is no more. The matter is settled, therefore, the continuation of prosecution would yield nothing.

6. In view of the above, application is allowed.

7. We hereby quash and set aside F.I.R. in Crime No.0546/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A and 504 read with Section 34 of Indian Penal Code against the present applicants.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)