



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

CRIMINAL APPLICATION (APL) NO. 409 OF 2022

- 1) Shakuntala Chandrakant Nakhate,
Aged about 50 years, Occu. - Household,
- 2) Sau. Harsha Khateshwar Korade,
Aged about 34 years, Occu. - Household,
- 3) Khateshwar Anandrao Korade,
Aged about 44 years, Occu. - Tailor,
All R/o. Shivam Colony, Gadgadeshwar,
Amravati, Tq. and District – Amravati.

.... **APPLICANTS**

// VERSUS //

- 1) The State of Maharashtra,
through Police Station Officer,
Police Station, Sakkardara,
Nagpur City, Nagpur.
- 2) Deepali W/o Vikas Nakhate,
Aged about 30 years, Occu. Household,
R/o. Plot No.01, New Bidipeth,
Near Mahakalkar Sabhagruha,
Sakkardara, Nagpur,
Tq. & Dist. Nagpur.

.... **NON-APPLICANTS**

WITH

CRIMINAL APPLICATION (APL) NO. 469 OF 2024

Vikas S/o Chandrakant Nakhate,
Aged about 32 years, Occu. - Private Job,
R/o. Shivam Colony,
Near Gadgadeshwar Mandir, Amravati,
Tq. & Dist. – Amravati.

.... **APPLICANT**

// **VERSUS** //

- 1) The State of Maharashtra,
through Police Station Officer,
Police Station, Sakkardara,
Nagpur City, Nagpur.
- 2) Deepali W/o Vikas Nakhate,
Aged about 32 years, Occu. Service,
R/o. Plot No.01, New Bidipeth,
Near Mahakalkar Sabhagruha,
Sakkardara, Nagpur,
Tq. & Dist.Nagpur.

.... **NON-APPLICANTS**

Mr. S.B. Gandhe, Advocate for Applicants.
Mr. S.B. Bissa, Additional Public Prosecutor for Non-applicant
No.1/State.
Mr. D.P. Mankar, Advocate h/f. Mr. S.R. Agrawal, Advocate for
Non-applicant No.2.

**CORAM : VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.**

DATED : 26th MARCH, 2024

ORAL JUDGMENT : (Per Vinay Joshi, J.)

1. Heard.
2. **Admit.** Heard finally by consent of the learned counsel
appearing for the parties.
3. Husband and relatives of husband have applied for
quashing of First Information Report(FIR) in Crime No. 107/2022,

registered with Police Station, Sakardara, Nagpur City for the offences punishable under Sections 294, 323, 498A and 506 of the Indian Penal Code on account of settlement.

4. The informant lady got married with applicant Vikas Nakhate on 01.12.2019 and started to cohabit with her husband and in-laws. After marriage, pursuing matrimonial harassment, she started to live separately from 12.08.2021 onwards. She has also filed a report, on the basis of which, crime has been registered. It is informed that yet charge-sheet has not been filed.

5. During pendency, due to intervention of relatives, matter has been amicably resolved. Both were in agreement that they could not live together hence, unanimously decided to sever matrimonial ties by obtaining decree of divorce. The husband has agreed to pay sum of Rs. 10,00,000/- towards one time settlement. In terms of settlement by the time entire money has been paid to the wife.

6. The informant/wife appeared before us and also endorsed about settlement and no objection to quash the proceedings. Since, it was a matrimonial dispute, we find no reason to decline the urge. As the matter is settled, continuation of prosecution amounts to exercise in futility.

7. In view of above, both Applications are **allowed**.

We hereby quash and set aside the First Information Report in Crime No. 107/2022, registered with Police Station, Sakkardara, Nagpur City for the offences punishable under Sections 294, 323, 498A and 506 of the Indian Penal Code.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

Kirtak