



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

CRIMINAL APPLICATION (APL) NO.354/2024

1. Mr. Akhil Narendra Raut,
age 32 Yrs., Occ. Service,
R/o at 12/12, Vijay Garden
Lily CHS Ltd., Ghodbunder Road,
Kavesar, Thane (W) 400 615.

2. Mrs. Nivedita Narendra Raut,
Age 65 Yrs., Occ. Nil,
R/o at 12/12, Vijay Garden
Lily CHS Ltd., Ghodbunder Road,
Kavesar, Thane (W) 400 615.

... Applicants

- Versus -

1. The State of Maharashtra,
through Mankapur Police Station
Officer, Nagpur, Tahsil & District
Nagpur 440 013.

2. Mrs. Pranali Akhil Raut,
(Maiden Name Ms Pranali Bhoge)
R/o At Near Palloti Church, Plot
No.57, Shashikant Society, Gorewada
Ring Road, Nagpur 440 013.

... Non-applicants

Ms. S.A. Barabai, Counsel for the Applicant.

Mr. G.S. Umale, A.P.P. for Non-applicant No.1.

Ms. A.W. Veena Mool, Counsel with Ms. Monica Peter, Counsel
for Non-applicant No.2.

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

DATED : 28.3.2024.

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 (R.C.C. No.2968/2022) arising out of Crime No.0036/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A, 506 read with Section 34 of Indian Penal Code on account of settlement.

3. The couple got married on 16.2.2021. After marriage informant started to cohabit with her husband and in-laws. Since there was matrimonial dispute they started to reside separately from 30.1.2022. Feeling matrimonial harassment informant has lodged the report. The police have completed investigation and filed chargesheet. It is stated that though charge has been framed, however, evidence has not commenced.

4. The husband had already filed a petition for divorce. In the meantime, with the intervention of relatives the matter has been settled. Both decided to sever matrimonial ties by seeking conversion of pending petition into a petition for divorce by mutual consent. The husband has agreed to pay a sum of Rs.13,00,000/- to the wife towards full and final settlement. As per agreed terms husband stated to have deposited entire sum of Rs.13,00,000/- in the Family Court, Thane on 10.1.2024. Both have agreed to exchange the ornaments. The consent terms were reduced in writing and have been filed in the pending Family Court proceedings. Copy of consent terms is produced on record. The informant has filed reply affidavit stating about settlement and her no objection to quash the proceedings.

5. The couple is young having no issue from marriage. They found it difficult to pull on the marital life. By consent they chose to sever the marital ties. The informant is present before us who is identified by her Counsel. The informant stated

about her no objection to quash the proceedings. The offence is of domestic nature which cannot be termed as heinous or antisocial. In the situation continuation of trial would be an exercise in futility.

6. In view of the above application is allowed.

We hereby quash and set aside chargesheet (R.C.C. No.2968/2022) arising out of Crime No.0036/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A, 506 read with Section 34 of Indian Penal Code.

(MRS.VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)