



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

**CRIMINAL APPLICATION NO. 501 OF 2024**

Anuj s/o Ramniklal Mahajan (husband) and ors.

..vs..

State of Maharashtra and anr.

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

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Shri M.P. Kariya, Advocate for the applicants.  
Shri S.S. Doifode, Addl.P.P. for the State.  
Shri P.K. Raulkar, Advocate for the non-applicant no.2.  
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**CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.**  
**DATED : 29/08/2024.**

On oral request, the applicant is permitted to delete the name of applicant no.3 as he is no more. Necessary amendment be carried out forthwith.

2. Heard.

3. This is an application seeking to quash the First Information Report No.81 of 2024 registered with the Dattapur Police Station, Amravati Rural for the offence punishable under Sections 498-A, read with Section 34 of the Indian Penal Code, on account of settlement.

4. The couple got married in the year 2021 and after some days, feeling matrimonial harassment the informant started to reside separately and has lodged the report. In the meantime, with the aid and intervention of elderly members of the family, the matter has been settled. The couple was of the firm opinion that they cannot live together, hence they decided to sever matrimonial ties. Both have decided to obtain a decree of divorce and husband agreed to pay sum of Rs.12 lakhs

towards full and final settlement. In pursuance of the settlement, the pending divorce petition is applied to be converted into the petition for divorce by mutual consent. As a part of settlement, the husband has already paid Rs.2 lakhs to the informant and agreed to pay the balance amount in the Family Court.

5. Learned Counsel Shri Kariya upon instructions made a statement that the husband would deposit balance amount of Rs.10 lakhs within one week in the Family court, which the wife is entitled to withdraw after passing of the decree of divorce.

6. The informant lady is present before the Court, who is identified by her Counsel Shri Raulkar. She has stated about the settlement and gave her no objection to quash the proceedings.

7. It is a matrimonial dispute, which has been resolved. The alleged offence cannot be termed as heinous or anti-social. In the circumstance, we are inclined to exercise our inherent powers by allowing the criminal application. Hence, the criminal application is allowed. We hereby quash and set aside First Information Report No.81 of 2024 registered with the Dattapur Police Station, Amravati Rural for the offence punishable under Sections 498-A, read with Section 34 of the Indian Penal Code against the present applicants.

8. The informant is at liberty to approach to this Court for recall of the order, if the husband failed to deposit balance amount within stipulated period.

9. The Criminal Application stands disposed of accordingly.

**(MRS. VRUSHALI V. JOSHI, J.)**

**(VINAY JOSHI, J.)**

*Trupti*