



Judgment

15 apl 640.24

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

CRIMINAL APPLICATION (APL) NO. 640/2024

Emmanuel s/o Beny Benjamin,
Aged about 40 yrs., Occ. Job,
R/o. Plot No.3, Patel Nagar,
Pipari Kanhan, Tah. Parshivani,
P.S. Mankapur, Nagpur (Husband)

... **APPLICANT**

VERSUS

1. State of Maharashtra,
through Police Station Officer,
Mankapur, Nagpur, Dist. Nagpur.
2. Parmeshwari w/o Emmanuel Benjamin,
Aged about 38 yrs., Occ. Housewife,
R/o. R/2/1, Divyanagari, Opposite
Radhakashna Mandir, Nagpur,
Mankapur (wife)

...**NON-APPLICANTS**

Mr. K. Jhamb, Advocate with Mr. A. Sharma, Advocate for applicant.
Mr. S. V. Narale, APP for non-applicant No.1.
Mr/Ms. G. Mishra, Advocate for non-applicant No.2.

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

DATE : 06.05.2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

2. **Admit.**

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3. This is an application seeking to quash criminal prosecution (RCC No. 2775/2021) arising out of Crime No.144/2021 registered with Police Station Mankapur, Dist. Nagpur for the offence punishable under Sections 498-A, 494 of the Indian Penal Code on account of mutual settlement.

4. The informant wife due to matrimonial dispute lodged report, on the basis of which investigation carried and on completion charge-sheet has been filed. It is informed that the Trial Court has not framed charges. The couple got married in the year 2008 and having two grown up daughters. Considering the future of daughters with the aid of relatives, the parties have settled the dispute. The informant lady resumed to cohabit with her husband (applicant) from the year 2022 and residing with her husband.

5. In view of settlement the informant does not wish to go on with the prosecution. She has filed reply stating about settlement and her no objection. The informant is present before us who has been identified by her Advocate Mishra. The informant gave her no objection to quash the prosecution as there was reunion. In such peculiar facts, continuation of prosecution would be against the

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interest of justice.

6. In view of above, application is allowed. We hereby quash and set aside criminal prosecution (RCC No. 2775/2021) arising out of Crime No.144/2021 registered with Police Station Mankapur, Dist. Nagpur for the offence punishable under Sections 498-A, 494 of the Indian Penal Code on account of mutual settlement.

7. Application stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)