



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

CRIMINAL APPLICATION NO.824 OF 2024

Shri Ravi s/o Ramdasji Shahade, aged
about – 40 years, Occ – Service, R/o
Nilkamal Apartments, Room No.305,
Sector 22, Kamothe, Navi Mumbai .

... APPLICANT

VERSUS

1. State of Maharashtra, through
Oficer in Charge, Police Station,
Koradi, Nagpur.
2. Sau. Trupti w/o Ravi Shahade,
(Maiden Name Ku. Trupti d/o
Bholenath Shrirao), aged about – 35
yrs, Occ. Service, R/o 418, Om Sai
Nagar, Koradi Road, Nagpur.

... NON-APPLICANTS.

Shri N.R. Bhishikar, Advocate for the applicant.
Shri Doifode, Addl.PP. for the State.
Shri Saurabh Singha, Advocate for the non-applicant no.2.

CORAM : VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.
DATED : 08.05.2024.

JUDGMENT : (Per : Vinay Joshi, J.)

Heard. ADMIT.

2. The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.

3. This is an application seeking to quash the Criminal Prosecution bearing R.C.C. No.2349 of 2018 arising out of crime bearing First Information Report No.10 of 2018 registered with the Koradi Police Station, District Nagpur for the offence punishable under Sections 498-A of the Indian Penal Code, on account of settlement.

4. The informant lady got married with the applicant in the month of June, 2017. After few days from the marriage, the informant subjected to harassment, hence she returned to the maternal house and lodged the report. The Police have completed the investigation and filed the charge-sheet. It is informed that though the Trial Court has framed charges however the evidence is partially recorded. In the meantime, the parties have amicably settled the dispute out of the Court. As per the settlement, they have applied to the Family Court for divorce by mutual consent. It is informed that in last month itself, the Decree of Divorce has been passed. The husband has agreed to pay Rs.6,60,000/- towards one time settlement, which he has already paid. In view of the settlement, the informant do not wish to go on with the prosecution. The informant is present before the Court, who is identified by her Advocate Shri Saurabh Singha. The informant has

filed a reply stating about the settlement and her no objection to quash the proceedings.

5. It is a matrimonial dispute, which has been settled. The couple has no issue and due to temperamental differences, they cannot live together. Both have consciously took a decision and got separated from each other. In the circumstances, continuation of prosecution amounts to abuse of the process of Court. Since the trial has commenced, the applicant has expressed willingness to deposit Rs.10,000/- towards the costs.

6. In view of the above, the application is allowed. We hereby quash and set aside the criminal prosecution bearing R.C.C. No.2349 of 2018 arising out of crime bearing First Information Report No.10 of 2018 registered with the Koradi Police Station, District Nagpur for the offence punishable under Sections 498-A of the Indian Penal Code. The applicant shall deposit the cost of Rs.10,000/- in the High Court Bar Association, Nagpur within two weeks from today.

7. Place the matter on 11.06.2024 for noting the compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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