



Judgment

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

CRIMINAL APPLICATION [APL] No. 1077/2022.

1.Girish s/o Sudhakar Junghare,
Aged about 35 years, Occupation – Service,

2.Chandabai s/o Sudhakar Junghare,
Aged about 55 years, Occupation – Household,

3.Lalit w/o Sudhakar Junghare,
Aged about 31 years, Occupation – Student,

All are residents of Ward No.4, Near Sai Mandir,
Tahsil Saoner, District Nagpur.

4.Manohar s/o Ramchandra Junghare,
Aged about 55 years, Occupation – Farmer,
resident of at Post Wakodi, Tahsil Saoner,
District Nagpur.

... **APPLICANTS.**

VERSUS

1.State of Maharashtra,
through Police Station Hudkeshwar
Nagpur.

2.Ankita w/o Girish Junghare,
Aged about 28 years, Occupation – Household,
resident of Plot No.44, Alankar Nagar,
Manewada Besa Road, Nagpur.

... **NON-APPLICANTS.**

Mr. A.S. Band, Advocate for Applicants.
Mr. I.J. Damle, A.P.P. for Non-applicant No.1 – State.
Mr. A.A. Vaikunthi, Advocate for Non-applicant No.2.

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

DATE : MARCH 14, 2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard. **Admit.**

By consent of the learned Counsel appearing for the parties, the matter is taken up for final disposal.

2. This is an application seeking to quash the first information report bearing Crime No.304/2022 registered with Hudkeshwar Police Station, Nagpur for the offence punishable under Sections 498-A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961, on account of settlement. It is informed that as yet charge sheet has not been filed.

Rgd.

3. The couple got married on 06.07.2021. Feeling matrimonial harassment, report has been lodged by the wife. In the meantime, with the intervention of relatives, the matter has been amicably settled. Both husband and wife were of the view that it is difficult for them to live together, hence, they decided to sever the matrimonial ties. In view of that, they have jointly applied for divorce and accordingly decree of divorce by mutual consent has been passed on 29.02.2024. The husband has agreed to pay one time settlement amount of Rs. 12 lakhs, which he has already deposited with the Family Court.

4. Today the informant wife is present before us and is identified by her Advocate Shri Vaikunthi. She has filed an affidavit stating about settlement and her no objection to quash the proceeding. Copy of the decree of divorce has also been filed. The dispute is of matrimonial nature, which has no social repercussions. Since the matter is settled we have no hesitation in accepting the prayer for quashing of the prosecution. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The first information report bearing Crime No.304/2022 registered with Hudkeshwar Police Station, Nagpur for the offence punishable under Sections 498-A read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961, is hereby quashed and set aside.

JUDGE

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