



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

CRIMINAL APPLICATION NO.926 OF 2023

1. Suraj s/o Shankarrao Khandare, aged about 30 years, Occ. Private Service, r/o Hinganghat, Tq. Hinganghat, District Wardha now resided at Ajmera, Masolkar Colony, Pimpri, District Pimpri Chichwad, Pune. (Husband).
2. Shanakrrao s/o Nagorao Khandare, aged about 66 years, Occ. Retired (Father in law).
3. Sau. Pushpa w/o Shankarrao Khandare, aged 61 years, Occ. Household (Mother in law)
4. Sau. Surekha Vijay Jadhav, aged about 43 years, Occ. Household, Nos. 2 to 4 are r/o Hinganghat, Tq. Hinganghat, District Wardha (Sister in law)
5. Sau. Amita w/o Shailesh Hanwate, aged about 40 years, Occ. Household, R/o Sambhaji Nagar, Arni, Tq. Arni, Dist. Yavatmal. (Sister in law)
6. Sau. Jyoti s/o Sandip Paikrao, aged about 35 years, Occ. Household, r/o Mahalaxmi Nagar, Digras, Tq. Digras, Dist. Yavatmal (Sister in law)
7. Janardhan Namdeo Khade, aged about 49 years, Occ. Labour (Uncle of her husband)

8. Sau. Shobha Janardhan Khade, aged about 45 years, Occ. Household (aunt of her husband)

Nos. 7 and 8 are r/o Sawna, Tq. Mahagaon, Dist. Yavatmal.

... APPLICANTS

VERSUS

1. The State of Maharashtra, through Police Station Officer, Police Station, Vasantnagar, Pusad, Tq. Pusad, Dist. Yavatmal.
2. Sau. Kiran w/o Suraj Khandare, aged about 22 years, Occ. Household, r/o c/o Nimbi, Tq. Pusad, Dist. Yavatmal.

... NON-APPLICANTS.

Ms. A.M Raut, Advocate for the applicants.

Shri A.B. Badar, Addl.PP for the State.

Ms Radha Mishra, Advocate for non-applicant no.2. (appointed).

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

DATED : 08.01.2024.

ORAL 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 First Information Report bearing Crime No.159 of 2023 registered with the Vasant Nagar Police Station, District Yavatmal for the offence punishable under Sections 498-A, 504, 506 read with Section 34 of the Indian Penal Code, on account of mutual settlement.

4. The couple got married on 04.04.2021 and then started to live together. Feeling matrimonial harassment the wife has lodged the report on the basis of which the Police have registered the crime. It is informed that yet the charge-sheet has not been filed.

5. On earlier date i.e. on 11.09.2023 we pursue the element of settlement hence it being matrimonial one, to protect the marriage we have referred the same for mediation. The learned Mediator Shri J.J. Chandurkar has conducted several meetings which turned to be succeed. The parties have entered into an agreement before the learned Mediator, which is a matter of record.

6. Today, the informant lady is present before this Court, who is identified by her Counsel Ms R.M. Mishra. The informant wife has filed her reply stating that the matter is settled and she do not wish to prosecute the criminal case. We have inquired with the informant on

which she stated that from the date of settlement i.e. from 09.10.2023, she is living with her husband and in-laws.

7. Apparently it was a matrimonial dispute which has been settled. Certainly the interest of justice would be secured by quashing the proceedings which would yield saving matrimonial ties. In view of that, following order is passed :

(a) The Criminal Application is allowed.

(b) We hereby quash and set aside the First Information Report bearing Crime No.159 of 2023 registered with the Vasant Nagar Police Station, District Yavatmal for the offence punishable under Sections 498-A, 504, 506 read with Section 34 of the Indian Penal Code.

9. The application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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