



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

**CRIMINAL APPLICATION (APL) NO.1315/2023**

(Anil S/o Lashkar Pawar and others Vs. State of Maharashtra and another)

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

Court's or Judge's orders

-----  
Mr. R.D. Wakode, Advocate for the applicants.  
Mr. N.H. Joshi, A.P.P. for non-applicant No.1/State.  
Mr. Vijay Hamand, Advocate h/f Mr. D.N. Mudgale, Advocate for  
non-applicant No.2.

**CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.**  
**DATED: 20.9.2024.**

Heard.

2. This is an application seeking to quash criminal prosecution bearing R.C.C. No.266/2022 arising out of Crime No.0428/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A, 323 and 504 read with Section 34 of Indian Penal Code and Section 4 of Dowry Prohibition Act on account of settlement.

3. The parties got married on 7.5.2011. The couple has two issues from the wedlock, however, after three years feeling matrimonial harassment wife started to reside separately and filed report. The police have completed investigation and filed chargesheet.

4. The wife has also filed an application to the Magistrate in terms of Section 12 of the Domestic Violence Act. In said proceeding dispute was amicably settled by entering into terms which are incorporated in application Exh.15/D of the domestic violence proceeding.

5. The informant has appeared and filed short reply stating about settlement and her no objection to quash the proceeding. The informant is present who is identified by her

Advocate. The informant reiterated that as per the terms of settlement filed in domestic violence proceeding she has no objection to quash the present proceeding. Moreover, she has submitted that still the marriage is in subsistence and the efforts of reunion would be made. In order to further the reunion she urged to quash the proceeding.

6. Having regard to matrimonial nature and peculiar facts, we are inclined to exercise our inherent powers. In view of that application is allowed. We hereby quash and set aside criminal prosecution bearing R.C.C. No.266/2022 arising out of Crime No.0428/2022 registered by non-applicant No.1 for the offence punishable under Sections 498-A, 323 and 504 read with Section 34 of Indian Penal Code and Section 4 of Dowry Prohibition Act against the present applicants.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)