



Judgment

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1

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

CRIMINAL APPLICATION (APL) NO. 1344/2024

1. Ajay Chandraprakash Agrawal,
age 33 yrs. (Husband),
2. Nishilata Chandraprakash Agrawal,
age 62 yrs. (Mother-in-law),
3. Chandraprakash Ramsaran Agrawal,
Age 63 yrs. (father-in-law),
4. Ritesh Chandraprakash Agrawal,
Age 39 yrs., (brother-in-law),
5. Avni Ritesh Agrawal,
Age 34 yrs., (Sister-in-law),

All R/o. 34, Krishna Niketan,
1st Floor, SBI Staff Gulmohar Society,
Chikuwadi, Borivali West,
Mumbai- 400 092.

... **APPLICANTS.**

VERSUS

1. State of Maharashtra through
PSO City Kotwali, Amravati,
Tq. & Dist. Amravati.
2. Purva Ajay Agrawal,
Age 34 yrs., Occ. Service,
R/o. 401, Aakar Apartment,
Mangilal Plot, Opposite IMA Hall
City, Amravati, PIN-444601.

... **NON-APPLICANTS**

Mr. P.S. Thakur, Advocate for applicants.
Mrs. M. Deshmukh, APP for non-applicant No.1.
Mr. V. Sharma, Advocate for non-applicant No.2.

**CORAM : VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.**
DATE : 20.09.2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

2. **Admit.**

3. This is an application seeking to quash criminal prosecution bearing RCC No. 1795/2023 arising out of crime No. 149/2023 registered with Police Station Kotwali, Amravati City, Tq. and Dist. Amravati for the offence punishable under Sections 498 read with Section 34 of the Indian Penal Code on account of settlement.

4. Initially, the parties have approached to the Principal Seat for quashing vide Criminal Writ Petition No. 3336/2024, in which it has been stated that the matter pertains to the jurisdiction of this Bench. In turn, the present proceeding has been filed. The Principal Bench had already referred

3

the matter for mediation, which turned to be successful. The terms of settlements have been finalized in between the parties. It was decided that the husband shall pay sum of Rs. 15,00,000/- towards full and final settlement. The parties shall obtain divorce by mutual consent and would withdraw rival proceedings. In view of the terms of the settlement, the husband has deposited sum of Rs. 15,00,000/- in the Family Court which is agreed by non-applicant No.2 wife. In view of such settlement, quashing is sought.

5. The informant is present before us who has been identified by her counsel Mr. V. Sharma. The informant has filed short reply stating about settlement and her no objection to quash proceeding. We have ascertained the facts from the informant to which she agreed. It is also agreed between the parties that the sum of Rs. 15,00,000/- which is deposited in the Family Court shall be disbursed to the wife after passing of decree of divorce.

6. Having regard to the settlement and the nature of dispute, we deem it appropriate to exercise our inherent powers. Hence, application is allowed. We hereby quash and set aside criminal prosecution bearing RCC No. 1795/2023 arising out of crime No. 149/2023 registered with Police

4

Station Kotwali, Amravati City, Tq. and Dist. Amravati for the offence punishable under Sections 498 read with Section 34 of the Indian Penal Code on account of settlement.

7. Application stands disposed of in above terms.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)