



Judgment

apl1461.23

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

CRIMINAL APPLICATION NO. 1461 OF 2023.

1.Sau. Dipali w/o Amol Lahe,
Aged about 31 years, Occupation -
Household, resident of Antarkheda,
Washim, Tahsil and District Washim
(Sister-in-law)

2.Sau. Minakshi w/o Sanjay Ghule,
Aged about 33 years, Occupation -
Household, resident of Village Linga,
Tahsil Ner, District Yavatmal.
(Sister-in-law)

3.Sanjay s/o Gopalrao Ghule,
Aged about 47 years, Occupation -
Agriculturist, resident of Village Linga,
Tahsil Ner, District Yavatmal.
(Husband of Sister-in-law)

4.Sau. Shubhangi s/o Yogesh Wadke,
Aged about 27 years, Occupation -
Household, resident of Dhabi,
Barshitakli, District Akola.
(Sister-in-law).

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APPLICANTS.

VERSUS

Rgd.

1.State of Maharashtra,
through Police Station Barshitakli,
Akola.

2.Smt.Rani w/o Jivan Matode,
Aged about 29 years, Occupation -
Household, resident of Gorava,
P.S. Barshitakli, Akola.

(complainant/wife of accused no.1) ... NON-APPLICANTS.

Mr. R.D. Dharmadhikari, Advocate for Applicants.
Mr. A.B. Badar, A.P.P. for Non-applicant No.1 - State.
Mr. C.A. Joshi, Advocate for Non-applicant No.2.

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

DATE : SEPTEMBER 09, 2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

Admit. By consent of the learned Counsel for the parties,
the matters are taken up for final disposal.

Rgd.

2. By this application, applicants are seeking to quash the Charge Sheet No.20/2023 arising out of first information report bearing Crime No.517/2022 registered with Barshitakli Police Station, Akola for the offence punishable under Sections 323, 498-A, 504 read with Section 34 of the Indian Penal Code, on account of settlement.

3. The couple got married in the year 2017 and have two issues from the marriage. Out of matrimonial differences the lady started to reside separately, and she has lodged the report alleging matrimonial harassment. By the time, the matrimonial dispute is settled and from last 5 months, the lady is residing with her husband. She has filed an affidavit stating that there is complete re-union and she do not wish to prosecute the criminal case.

4. The informant lady is present before the Court and is identified by her Advocate Shri Joshi. She has reiterated the contents of reply and more particularly submitted that the entire prosecution may be quashed, as she do not wish to go on with the case against her

Rgd.

husband and her in-laws.

5. It is a matrimonial dispute which cannot be termed as heinous or antisocial. The parties have settled the dispute. Though the husband and parents-in-law are not before us, however, due to re-union, the informant has filed separate affidavit stating that she also do not wish to prosecute them also, and the entire charge sheet may be quashed. In view of above, following order is passed.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The Charge Sheet No.20/2023 arising out of first information report bearing Crime No.517/2022 registered with Barshitakli Police Station, Akola for the offence punishable under Sections 323, 498-A, 504 read with Section 34 of the Indian Penal Code is hereby quashed and set aside in its entirety.

JUDGE

JUDGE

Rgd.