



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

CRIMINAL APPLICATION (APL) NO. 817 OF 2016

(Sk. Salim s/o Sk. Hamid ..vs.. State of Maharashtra, through PS Gittikhadan, Nagpur 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. D.R. Rupnarayan, Counsel for the petitioner,
Mr. N. Joshi, Addl.P.P. for non-applicant No.1,
Mr. M.S. Gupta, Counsel for non-applicant No.2.

**CORAM : VINAY JOSHI &
ABHAY J. MANTRI, JJ.**

DATE : 23-10-2024

Heard.

2. This is an application seeking to quash criminal prosecution namely Regular Criminal Case No.664/2016 arising out of Crime No.432/2015 registered with Police Station Gittikhadan, Nagpur for 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, on account of settlement.

3. The parties got married in 2008 and having two issues from the marriage. Since there was harassment, informant has lodged a report on the basis of which crime was registered. Since there were differences, the informant finally left her husband's house after two years' of marriage. With an intervention of relatives, the matter has been amicably settled. Both parties have appeared before the Marriage

Counselor who also made effort on which all differences have been settled and the parties have entered into agreement of settlement which was filed in the Family Court.

4. In view of settlement, the informant is not willing to go on with the prosecution. She has filed affidavit stating about settlement and her no objection to quash the proceedings. Since husband has only applied for quashing of the proceedings, on our query, the informant stated that she has no objection to quash the proceedings against remaining accused i.e. relatives of husband also. The informant's learned Counsel also conceded that the proceedings must be quashed to its entirety. Moreover, we see no reason to keep the proceedings pending against the relatives when essentially the matter has been settled in between the husband and wife. The offence cannot be termed as heinous or antisocial in nature.

5. In view of above, the application is allowed. We hereby quash and set aside the entire criminal prosecution in Regular Criminal Case No.664/2016 arising out of Crime No.432/2015 registered with Police Station Gittikhadan, Nagpur for 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.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)