



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

CRIMINAL APPLICATION (APL) NO. 212 OF 2024

1. Gautam Pankaj Agrawal (Husband), aged about 38 years, Occup. Business.
2. Pankaj Hariram Agrawal (Father-in-law), aged about 59 years, Occup. Business.
3. Ashish Pankaj Agrawal, (Brother-in-law) Aged about 33 years, Occup. Business, All R/o Plot No.201, Radha Palace, Opp. Dhantoli Park, Dhantoli, Nagpur-440012.

Applicants

-Versus-

1. State of Maharashtra, through P.S.O.Imamwada, Tahsil and District Nagpur.
2. Muskan Gautam Agrawal, Now Muskan Kewalchand Goyal, Aged 40 years, Occup.Nil, R/o Flat No.1303, Tower No.3, Capitol Heights, Near Medical Square, Nagpur Police Station Imamwada, Nagpur Parental House at C/o Kewalchand Goyal, Near Hanuman Mandir, Patel Nagar, Bramhapuri, Tah. Bhramhapuri, Distt.Chandrapur.

**Non-
applicants**

Mr.M.R.Johrapurkar, counsel for the applicants.
Mr.M.J.Khan, APP for non-applicant No.1.
Ms. Astha Sharma, counsel for non-applicant No.2.

**CORAM : VINAY JOSHI AND
VRUSHALI V. JOSHI, JJ.
DATE : 5th February, 2024**

ORAL JUDGMENT (Per : Vinay Joshi, J.)

Heard.

2. **Admit.** The application is heard finally with the consent of the learned counsel for the parties.

3. This is an application seeking to quash the charge-sheet (RCC No.2010 of 2023) arising out of Crime No. 408 of 2022 registered with Police Station Imamwada, District Nagpur for the offences punishable under Sections 498-A,406,506 r/w 34 of the Indian Penal Code on account of mutual settlement.

4. The couple got married on 26.11.2021 and started to reside together. Soon after the marriage, there was matrimonial discord hence, the wife started to reside separately within a short span of 5-6 months. Feeling matrimonial harassment informant has lodged the report, which caused the police to investigate and file the charge-sheet. It is informed that yet trial court has not framed charges. The informant wife had filed a petition for divorce on the ground of cruelty. During pendency, both realised that due to temperamental differences there is no purpose in pulling on the relation. With the aid and intervention of relatives, they decided to

severe matrimonial ties in permanency. The husband has agreed to pay total sum of Rs.5,00,000/- towards one time maintenance on which wife also agreed to withdraw all proceedings.

5. The informant/wife has appeared in proceeding through the advocate and filed reply stating about settlement and her no objection for quashing of the proceedings. The wife is present before us and identified by her advocate. On our query she has stated about settlement, receipt of agreed sum of Rs.5,00,000/- and her no objection to quash the proceedings.

6. This was the matrimonial dispute which has been amicably settled. The couple has no issue from the marriage. Both decided to put an end to the dispute, and to walk in the life as per their choice. The offences cannot be termed as heinous or antisocial. Since, the matter is settled, there is no purpose in continuing the criminal prosecution. In view of above, criminal application is allowed. We, hereby, quash and set aside the criminal prosecution namely RCC No.2010 of 2023 arising out of Crime No.408 of 2022 registered with Police Station Imamwada, District Nagpur for the offences punishable under Sections 498-A,406,506

r/w 34 of the Indian Penal Code.

(VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)