



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

CRIMINAL APPLICATION (APL) NO. 865 OF 2024

1. Bhagyesh Kiran Ghangare, Aged about 25 years, Occup.Pvt.Job.
2. Kiran Tulshiram Ghangare, Aged about 59 years, Occup.
3. Sau.Vijaya Kiran Ghangare, Aged about 54 years, Occup. Household, All r/o House No.674, Ward No.1, New Koradi, Koradi Road,Near Athwadi Bazar, Koradi (N.V.)Dist. Nagpur.
4. Sachin Ravishankar Samarth Age about 36 years, Occup.Govt. Service R/o C/o.Chaya Kukde, Plot No.28, Galli No.3 Near Mara Mandir, New Dhyaneshwar Nagar, Parvati Nagar, Nagpur.
5. Khushboo Kiran Tulshiram Ghangare @ Sau.Karishma Sachin Samarth Age about 27 years, Occup.Nil R/o C/o Chaya Kukde, Plot No.28, Galli No.3, Near Mara Mandir, New Dhyaneshwar Nagar, Parvati Nagar, Nagpur.

Applicants

-Versus-

1. State of Maharashtra, Through P.S.Koradi, Nagpur Tq. And District Nagpur.
2. Poonam Bhagyesh Ghangare, C/o Adarsh Nagar, Koradi, Infront of Tayvade College, Mahadula, Nagpur.

Respondents

Mr. Nishant J.Patil, counsel for the applicants.
Mr. A.B.Badar, A.P.P for non-applicant -State.
Mr. A.S.Band, counsel for non-applicant No.2.

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

DATE : 10th SEPTEMBER, 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 Criminal Prosecution namely, RCC No.585 of 2023 arising out of First Information Report No.309 of 2022 registered with Police Station Koradi, Nagpur for the offence punishable under Sections 498-A, 323 and 504 of the Indian Penal Code on account of mutual settlement.

4. The facts are such that the couple got married on 10.02.2022 and thereafter the informant resumed to cohabit with her husband and in-laws. Feeling matrimonial harassment and pursuing monetary demand, she has lodged the report, on the basis of which crime has been registered. Investigation is complete and charge-sheet has been filed. It is informed that yet the charges have not been framed.

5. In the meantime, with the advice of relatives, the matter has

been amicably settled. The parties have jointly applied to the Family Court and obtained a decree of divorce on 02.07.2024. Towards the settlement, husband has paid some of Rs.5,00,000/- towards one time settlement.

6. Today, the informant lady is present before us, who has filed a short reply stating about her no objection to quash the proceedings on account of settlement. The informant is present, who is identified by her counsel and has reiterated the contents of the reply.

7. It is a matrimonial dispute which is amicably settled. In the circumstances, continuation of prosecution amounts to abuse of the process of the Court. In view of that, application is allowed.

8. We, hereby, quash and set aside Criminal Prosecution bearing RCC No.585 of 2023 arising out of First Information Report No.309 of 2022 registered with Police Station Koradi, Nagpur for the offence punishable under Sections 498-A, 323 and 504 of the Indian Penal Code.

9. Criminal Application stands disposed of.

(VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)