



Judgment

wp78.25

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

CRIMINAL WRIT PETITION No. 78 OF 2025.

1.Amit s/o Ravindra Yawalkar,
Aged about 35 years, Occupation –
Private;

2.Mrs.Sharayu d/o Laxmanrao Band,
(Known as Mrs.Sharayu Ravindra Yawalkar
prior to her divorce),
Aged about 58 years,

Both resident of Flat No.605,
A Wing, Platinum Green,
Orbital Empire, Jaitala, Nagpur. M.H.

...

PETITIONERS.

VERSUS

1.State of Maharashtra,
through Police Station MIDC
Nagpur.

2.Mrs. Manali w/o Amit Yawalkar,
Aged about 32 years, Occupation -
Practicing Lawyer, resident of
Plot no.22, Shrikrishna Apartment,
Abhyankar Nagar, Nagpur.
Also at permanent address :

Rgd.

Dr,Raghuveersingh Daidawad, Nishant
Plot No.71, Near Aata Chakki,
Laxmi Nagar, Wardha. 442001.

... **RESPONDENTS.**

Mr. V.Bharadwaj, Advocate for Petitioners.
Ms S.S. Jachak, A.P.P. for Respondent No.1.
Mr. A.S. Sahu, Advcate for Respondent No.2.

CORAM : ANIL L. PANSARE AND
M. M. NERLIKAR, JJ

DATE : JULY 30, 2025.

ORAL JUDGMENT (Per M.M. Nerlikar, J.) :

Heard. Rule. Rule is made returnable forthwith, and by consent of learned Counsel for the parties, the matter is taken up for final disposal.

2. The present petition is filed for quashing of the first information report No. 966/2024 dated 09.10.2024 registered with MIDC Police Station, Nagpur for the offence punishable under Sections 115[2], 3[5], 351[2], 352, 85 of the Bhartiya Nyaya Sanhita

(BNS) and Sections 3 and 4 of the Dowry Prohibition Act.

3. The allegations in the first information report is that petitioner no.1 and respondent no.2 both are divorcee. They have solemnized second marriage on 01.10.2022. The informant / respondent no.2 has further alleged that at her matrimonial home, when she was entering into the kitchen to cook the food, petitioner no.2 pushed her by saying that “you do not know cooking” and she was driven out of the kitchen. The informant sustained injury on her hand. On the same day, when she narrated the entire incident to her husband, i.e. petitioner no.1, he slapped her. It is her further case that the petitioners ill-treated her, and there was harassment from the end of both petitioners. It is further alleged that the petitioner no.1 scolded her and asked her to bring money from her home or to sale her jewelry. It is her further allegation that petitioner no.1 regularly harassed her, asked her to bring money from her home, and when the informant refused to bring money, the petitioner no.1 would force her for anal sex. The informant has also alleged that at many time she was beaten by the petitioner no.1, and thus, having fed up with this

Rgd.

beating and scolding, she has approached Bharosa Cell of police station on 04.07.2024 by filing a complaint. Thereafter the respondent no.1 registered the first information report on 09.10.2024 for the aforementioned sections.

4. The learned Counsel for petitioners submitted that the matter was referred for mediation by order dated 13.03.2025, and there a settlement was arrived between the parties by executing an agreement on 01.04.2025.

5. Today respondent no.2/wife is personally present before the Court. She is identified by her counsel. The respondent no.2 has stated that she has no objection to quash the first information report on the basis of the settlement arrived. The learned Counsel appearing for respondent no.2 concedes to this fact and submitted that since there is no objection from the side of respondent no.2, the first information report be quashed.

6. We have heard the learned Counsel for the parties and

also interacted with the respondent no.2. The respondent no.2/ wife has in clear terms stated that a settlement has been arrived in the mediation process and she has no objection if the first information report is quashed. We have also gone through the report of the Mediator and we appreciate the efforts taken by the Mediator – Advocate Mrs. S.Deshpande. We have also gone through the settlement arrived between the parties. In view of the above material, we deem it appropriate to allow the writ petition, so that the couple can lead their life happily in future. Hence, the following order.

ORDER

- (1) Criminal Writ Petition is allowed.
- (2) We hereby quash and set aside the First Information Report No. 966/2024 dated 09.10.2024 registered with MIDC Police Station, Nagpur for the offence punishable under Sections 115[2], 3[5], 351[2], 352, 85 of the Bhartiya Nyaya Sanhita (BNS) and Sections 3 and 4 of the Dowry Prohibition Act.

- (3) Rule is made absolute in aforesaid terms.
- (4) Pending Misc. Applications, if any, also stands disposed of.

JUDGE

JUDGE