



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

CRIMINAL APPLICATION (APL) NO. 140/2025

1. Manish s/o Dilip Dhomne,
Aged about 35 yrs., Occ. Service, (husband)
R/o. Bhusari Plot No.79, Ambashivshakti
Nagar, Nagpur.
2. Dilip s/o. Mahadeorao Dhomne, (father-in-law)
Aged about 64 yrs., Occ. Retired,
3. Varsha w/o. Dilip Dhomne, (mother-in-law)
Aged about 56 yrs., Occ. Household,
4. Chetan s/o Dilip Dhomne, (brother-in-law)
Aged about 29 yrs., Occ. Education,
5. Nisha d/o. Dilip Dhomne, (sister-in-law)
Aged about 24 yrs., Occ. Education.

Nos. 2 to 5 R/o. Khari Ward, Bhopal
Road, Pandhurna, Dist. Chhindwara (M.P.)

...APPLICANTS

VERSUS

1. State of Maharashtra, through
Police Station Officer, P.S. Nandgaonpeth,
Amravati, Dist. Amravati.
2. Vaishnavi w/o. Manish Dhomne, (complainant)
Aged about 27 yrs., Occ. Household,
R/o. C/o. Rajendra Namdeorao Vinchurkar,
House No.10, Dattawadi, Wardhekar Layout,
Shegaon Rahatgaon Road, Amravati,
Dist. Amravati.

NON-APPLICANTS

Mr. T.U. Tathod, Advocate for applicants.
Mrs. M. Deshmukh, APP for non-applicant No.1.
Mr. Y.U. Khumbre, Advocate for non-applicant No.2.

CORAM : NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.
DATE : 11.02.2025

ORAL JUDGMENT : (PER: NITIN B. SURYAWANSHI , J.)

Heard.

2. **Admit.** Heard finally with consent of parties.
3. By this application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, applicants are seeking quashing of the proceedings of Sessions Case No. 144/2024 pending on the file of learned Additional Sessions Judge, Amravati.
4. Non-applicant No.2 wife of applicant No.1 lodged First Information Report ("FIR") in question with Nandgaonpeth, Police Station, Amravati, Dist. Amravati which is registered at Crime No. 69/2022 under Sections 498-A, 354-A, 313, 506(2), 504 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

5. The FIR alleges ill-treatment at the hands of applicants. It is also alleged that due to fall in the bathroom, there was miscarriage of non-applicant No.2 and the applicants are responsible for the same.

6. After completing of investigation, charge-sheet was filed and case is numbered as Sessions Case No. 144/2024.

7. Applicant No.1 husband and non-applicant No.2 wife have amicably settled their matrimonial dispute in terms of settlement placed on record at Annexure-B. Pursuant to the settlement, criminal appeal No. 53/2024 is disposed of by learned Additional Sessions Judge, Amravati on 23.01.2025. Applicant No.1 and non-applicant No.2 have filed HMP No. F-44/2025 before the Family Court under Section 13(B) of Hindu Marriage Act for decree of divorce by mutual consent. In terms of settlement, Demand Draft (“DD”) of Rs. 12,00,000/- in the name of the Family Court is deposited and the same amount will be withdrawn by the non-applicant No.2 after passing of decree of divorce by mutual consent.

8. Applicants and the non-applicant No.2 are present in the Court. They are identified by their respective Advocates. Today, DD

of Rs. 12,00,000/- is handed over to the non-applicant No.2 in the Court. Non-applicant No.2 has confirmed amicable settlement arrived at between the parties and she has filed affidavit giving no objection to quash the proceedings.

9. In view of amicable settlement between the parties, no useful purpose would be served by continuation of the prosecution against the applicants as non-applicant No.2 is not likely to support the prosecution, even if the Trial is allowed to proceed, it will amount to waste of judicial time and energy, therefore the continuation of the prosecution against the applicants is an abuse of the process of law.

10. In the result, criminal application is allowed. Proceedings of Sessions Case No. 144/2024 pending on the file of learned Additional Sessions Judge, Amravati are hereby quashed and set aside.

11. Application stands disposed of in above terms

(PRAVIN S. PATIL, J.)

(NITIN B. SURYAWANSHI, J.)