



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

CRIMINAL APPLICATION (APL) NO. 194/2025

1. Someshwar s/o Suresh Paytode,
(husband), Aged about 34 yrs.,
Occ. Private Service, R/o. Plot No.200,
Lane No.28, Ashirwad Nagar, Hudkeshwar
Road, Nagpur, Tah. & Dist. Nagpur.
2. Suresh s/o Mahadevrao Paytode,
(father of applicant No.1)
Aged about 66 yrs., Occ. Business,
R/o. Plot No.200, Lane No.28,
Ashirwad Nagar, Hudkeshwar Road,
Nagpur Tah. & Dist. Nagpur.
3. Sau. Kamal w/o. Suresh Paytode,
(mother of Applicant No.1),
aged about 52 yrs., Occ. Housewife,
R/o. Plot No. 200, Lane No.28, Ashirwad
Nagar, Hudkeshwar Road, Nagpur,
Tah. & Dist. Nagpur.
4. Ms. Chitra d/o. Suresh Paytode,
(sister of Applicant No1),
aged about 28 yrs., Occ. Housewife,
R/o. Plot No.81/A, Nimbhulkar
Flour Mill, Ramna Maroti Road,
Gadge Nagar, Nanuman Nagar,
Nagpur.

5. Smt. Vimal w/o. Shravan Thakre,
(maternal mother-in-law of Applicant No.1),
aged about 53 yrs., Occ. Household,
R/o. House No. 30/64, Old Babulkheda,
Rameshwari Road, Bhagwan Nagar, Nagpur,
Tah. & Dist. Nagpur.

...APPLICANTS

VERSUS

1. State of Maharashtra, through
through Police Station Officer,
Sakkardara, Nagpur, Tah. & Dist. Nagpur.
2. Sau. Ashwini w/o. Someshwar Paytode,
Aged about 31 yrs., Occ. Household,
presently R/o Pachpaoli Quarter,
'E' Wing Quarter No.303, Panchpaoli,
Nagpur, Tah. & Dist. Nagpur.
(complainant)

NON-APPLICANTS

Mr. M.R. Joharapurkar, Advocate with P.M. Jain, Advocate for applicants.

Mrs. M. Deshmukh, APP for non-applicant No.1/State.

Mr. Shiddhesh Y. Dunedar, Advocate for non-applicant No.2.

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

DATE : 24.02.2025

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

Heard.

2. **Admit.** Heard finally with the consent of parties.

3. Due to matrimonial dispute, non-applicant No.2 lodged First Information Report (“FIR”) bearing Crime No. 494/2023 with Police Station Sakkardara, Nagpur, Tah. and Dist. Nagpur against applicants under Sections 323, 498-A, 504, 506 read with Section 34 of the Indian Penal Code. By this application, the applicants seek quashing of the FIR.

4. During the pendency of this application, applicant No.1 and non-applicant No.2 have amicably settled their matrimonial dispute. Non-applicant No.2 has filed affidavit on record stating about settlement of matrimonial dispute. It is further stated that by a decree of divorce by mutual consent passed by the Family Court, Nagpur in Petition No. F-676/2024 on 05.10.2024, the marriage between applicant No.1 Someshwar and non-applicant No.2 Ashwini is dissolved. In mutual settlement, the parties agreed to withdraw all the pending proceedings against each other.

5. Applicant No.1 and non-applicant No.2 are present in the Court today. They are identified by their respective counsel. Non-applicant No.2 has confirmed about amicable settlement of the dispute and she has no objection for quashing of the proceedings. She further

states that she has received an amount of Rs. 3,00,000/- towards full and final settlement of her maintenance and she has no objection to quash the proceedings.

6. In view of amicable settlement of dispute, we allow this application. Proceedings of RCC No. 1599/2024 pending before Jt. Judicial Magistrate First Class, Court No.22, Nagpur arising out of Crime No. 494/2023 registered with Police Station Sakkardar, Nagpur for the offence punishable under Sections 323, 498-A, 504, 506 read with Section 34 of the Indian Penal Code are hereby quashed and set aside.

7. Application stands disposed of in above terms.

(PRAVIN S. PATIL, J.)

(NITIN B. SURYAWANSHI, J.)