



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

Criminal Application (APL) No. 551 of 2023

1. Nehal S/o Dharmapal Bagde,
Aged about 29 Years, Occu. Private Service
2. Shobha W/o Dharmapal Bagde,
Aged about 60 years, Occ. Housewife
Both applicant nos. 1 and 2 are resident of
Plot No. 82, Kushinagar, Jaripatka, Nagpur
3. Mamata Umakant Khandekar,
Aged about 49 years, Occ. Housewife
R/o Near Chintwan Bhuddha Vihar,
Ambedkar Ward, Ganesh School, VTC,
Bhandara, District Bhandara 441904
4. Grishil S/o Dharmapal Bagde,
Aged about 33 years, Occ. Service
5. Anjali W/o Grishil Bagde,
Aged about 30 years, Occ. Service
Both applicant nos. 4 and 5 are r/o Ajanta
House, Swami Samarth Nagar, Bimpalbhat,
Alibagh- 402201

... Applicant

// VERSUS //

1. State of Maharashtra through Police Station
Officer, Police Station Jaripatka, Nagpur City,
Nagpur.
2. Sau. Payal W/o Nehal Bagde,
Aged about 28 years, Occupation : Service
R/o Dadarao Khobragade, Amgaon Post, Salai
Pevat, Tehsil Selu, District Wardha

... Non-applicants

Shri Jasprit Singh Chilotra, Advocate for the applicants.
Ms. Shamsi Haider, APP for the non-applicant no.1/State.
Shri R.M.Patil, Advocate for the non-applicant no.2.

**CORAM : ANIL S. KILOR &
PRAVIN S. PATIL, JJ.**

DATED : 21st APRIL, 2025.

ORAL JUDGMENT : (PER : PRAVIN S. PATIL, J.)

Rule. Rule is made returnable forthwith. By consent of the learned counsel for the parties, the matter is taken for final disposal.

2. By this application, the applicant is seeking to quash and set aside the First Information Report registered against them vide Crime No. 603 of 2022 dated 18th September, 2022 for the offence punishable under Sections 498-A read with Section 34 of Indian Penal Code at Police Station Jaripatka, Nagpur.

3. In the present case, on the allegation of non-applicant no.2 that she was harassed mentally and physically at the instance of applicants, offence came to be registered against them.

4. The present applicants approached before this Court stating that all the allegations levelled against them are vague and omnibus. Even the allegations of the First Information Report accepted in its entirety, no offence under Section 498-A of Indian Penal Code is attracted against applicants.

5. In the present case, due to matrimonial discord, the proceedings were also pending before the Family Court, Nagpur. In the said pending proceeding, the applicant-husband and non-applicant no.2 wife arrived at a settlement. Accordingly, their mutual agreement was executed before the Family Court, Nagpur in Petition No. A-1552 of 2021. As per the said agreement, the present applicant agreed to pay Rs.4,00,000/- to the non-applicant no.2 as a permanent alimony and non-applicant no.2 undertakes to withdraw all the allegations made against the present applicants.

6. The non-applicant no.2 by filing her affidavit dated 17th April, 2025 confirmed that her matrimonial matter has been amicably settled and now no grievance remained against the present applicants. As such to lead peaceful life in future, she want to end all the criminal proceeding filed at her instance against the applicant.

7. In the case of B.S.Joshi and others Vs. State of Haryana and another reported in 2003(4) SCC 675 as well as in the case of Narinder Singh and others Vs. State of Punjab and another reported in 2014(6) SCC 466, it is held that it is the duty of the Court to encourage genuine

settlement in matrimonial dispute particularly when parties have resolved their entire dispute amongst themselves.

8. In view of the aforesaid reasons, as the matter amicably settled between the parties and there is no impediment to accept the same. Accordingly, we proceed to pass the following order.

ORDER

- i. Criminal application is allowed
- ii. The First Information Report vide Crime No. 603 of 2022 dated 18th September, 2022 for the offence punishable under Sections 498-A read with Section 34 of Indian Penal Code at Police Station Jaripatka, Nagpur is hereby quashed and set aside against the applicant no.1 – **Nehal S/o Dharmapal Bagde**, applicant no.2 -**Shobha W/o Dharmapal Bagde**, applicant no.3 - **Mamata Umakant Khandekar**, applicant no.4 - **Grishil S/o Dharmapal Bagde** and applicant no.5 - **Anjali W/o Grishil Bagde**.

Rule is made absolute in aforesaid terms. No order as to costs.

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]