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

CRIMINAL APPLICATION (APL) NO.1136 OF 2024

1. Dnyaneshwar @ Praful s/o Sahebrao Bhare
(Husband)
Age : 42 Years, Occupation : Private Job,
2. Vimalbai wd/o Sahebrao Bhare (mother-in-law)
Age : 73 Years, Occupation: Housework,
No.1 and 2 R/o : Gunwant Nagar,
Bypass, Karanja Road, Murtizapur,
District Akola.
3. Rajesh s/o Sahebrao Bhare,
(Elder brother-in-law)
Age : 46 Years, Occupation Private Job
at Ahmednagar.
4. Rekha w/o Rajesh Bhare,
(Elder sister-in-law)
Age : 44 Years, Occupation : Housewife,
and private work.
No.3 and 4 R/o: Chakan Oil Mill,
Niblak Road M.I.D.C., Nagapur,
Ahmednagar - 414111.
5. Santosh s/o Sahebrao Bhare
(Elder brother-in-law)
Age : 53 Years, Occupation : Deputy
General Manager, BSNL, Bhandara.
R/o : Near Jai Hind Super Market,
Flat No. 201, Sadguru Apartment,
Besa Road, TATA Chowk, Bhagwan
Nagar, Manewada, Nagpur – 440027.

.... APPLICANTS

// VERSUS //

1. Anita w/o Dnyaneshwar @ Praful Bhare
(Original Complainant)
Age : 39 Years, Occupation : Teacher
R/o: Primpri (Awagan),
Tehsil : Mangrulpir, District : Washim.
2. The State of Maharashtra through
Police Station Officer,

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Jaulka Police Station, Washim.

.... **NON-APPLICANTS.**

Mr. H. D. Hajare, Counsel for the applicants.

Ms. H. N. Prabhu, APP for non-applicant No.2/State.

**CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.**

DATED : 04/09/2025

ORAL JUDGMENT :

1. **Admit.**

2. Heard finally with the consent of the learned Counsel for the parties.

3. Present application is preferred for quashing of First Information Report No.148/2024 dated 31.05.2024 registered with Jaulka Police Station, District Washim alongwith chargesheet No.26/2024 in RCC No.186/2024 pending in the Court of 2nd Joint Civil Judge, Junior Division and Judicial Magistrate First Class, Mangrulpir.

4. Brief facts which are necessary for the disposal of the application are as under:

The crime No.148/2024 is registered for the offence punishable under Sections 498A, 504, 506 read with Section 34 of the Indian Penal Code on the basis of report lodged by Anita w/o Dnyaneshwar @ Praful Bhore on an allegation that her marriage was performed on 23.03.2012 at Murtizapur, District Akola with Dnyaneshwar @ Praful s/o Sahebrao Bhore i.e. the

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applicant No.1, the applicant No.2 is the mother-in-law, applicant No.3 is elder brother-in-law, applicant No.4 is sister-in-law and applicant No.5 is brother-in-law. As per her allegation, after marriage, she resumed cohabitation at the house of the present applicants, but she was treated well for some days and thereafter, she was subjected for the ill-treatment at the hands of the present applicants. Due to the ill-treatment, she constrained to leave the matrimonial house and took shelter at the house of her parents. On the basis of the said report, police have registered the crime against the present applicants. During the pendency of this application, the applicants and the non-applicant No.1 arrived at a settlement. The settlement is also recorded. In the light of the consent terms, which were executed between the parties, the decree of dissolution of marriage is already passed by the Civil Judge Senior Division, Mangrulpir by judgment dated 08.01.2025. The previous order passed by this Court also discloses that there was an amicable settlement and the parties are interacted with, they have agreed and accepted the terms and conditions of the settlement. In view of the above settlement, as the marriage is already dissolved, no purpose will be served by insisting the present applicants to proceed with the trial. The entire consent terms are already complied. Accordingly, I proceed to pass following order:

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ORDER

(i) The criminal application is allowed.

(ii) The First Information Report vide Crime No.148/2024 dated 31.05.2024 registered with Jaulka Police Station, District Washim alongwith chargesheet No.26/2024 dated 14.08.2024 in RCC No.186/2024 pending in the Court of 2nd Joint Civil Judge, Junior Division and Judicial Magistrate First Class, Mangrulpir, is hereby quashed and set aside subject to the costs of Rs.10,000/- by the applicants and Rs.10,000/- by the non-applicant No.2.

(iii) The costs be paid to the Police Welfare Fund, Nagpur.

The application is disposed of.

(NANDESH S. DESHPANDE, J) (URMILA JOSHI-PHALKE, J)