



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

CRIMINAL APPLICATION NO.1158 OF 2024

1. Sagar s/o Subhash Chaudhari, Age : 34 years, Occ. Service, R/o Plot No. D-302, Pavilion, Haveli Pune, Dist. Pune. (Brother in law)
2. Lina w/o Deepak Nikam, Age : 37 years, Occ. Household, R/o Pravara Bank Colony, Vitthal Nagar Near Tukaram Maharaj Mandir, Loni Bk. Tq. Rahata, Dist. Ahmednagar. (Sister-in-law)
3. Deepak s/o Navanath Nikam, Age : 38 years, Occ. Electrician, R/o Pravara Bank Colony, Vitthal Nagar, Near Tukaram Maharaj Namdir, Loni Bk, Tq. Rahata Dist. Ahmednagar. (husband of applicant no.2.)
4. Pallavi w/o Rupesh Divate, Age : 40 years, Occ. Household, R/o Opposite Tulja Bhavani Mandir, 1041, Matoshri Niwas, Jijamata chowk, Khalde Ali, Talegaon, Dabhade, Dist. Pune. (Sister-in-law)

... APPLICANTS

VERSUS

1. The State of Maharashtra, through the Police Inspector, Frezapur Police Station, Tq. Amravati, Dist. Amravati.

2. Harsha w/o Prashant Chaudhari,
Harsha D/o Rajendra Burande Age :
28 years, Occ. Service, R/o Yashoda
Nagar No.1 Galli No. 3, Amravati,
Frezarpura, Amravati City, Tq. And
Dist. Amravati.

... NON-APPLICANT(S).

Shri P.B. Vikhe, Advocate for the applicants.

Mrs. M.H. Deshmukh, Additional Public Prosecutor for the non-
applicant/State.

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.

DATE : 01.04.2025.

JUDGMENT : (Per : Pravin S. Patil, J.)

Heard. **ADMIT.**

2. The matter is taken up for final disposal by consent of the parties.

Corrected as
per Court's
order dated
13.06.2025

3. This application is filed under Section 482 of the Code of Criminal Procedure, seeking to quash and set aside the Charge-sheet bearing R.C.C. No.1519 of 2023 arising out of First Information Report ('FIR') No.332 of 2023 registered with the Frezarpura Police Station, Amravati City for the offence punishable under Sections 498A read with Section 34 of the Indian Penal Code.

4. The Non-applicant no.2 lodged the complaint against the present applicants, who are the relatives of the her husband. It is alleged by non-applicant no.2 that after her marriage, she was subjected to cruelty and mental harassment at the hands of the accused nos. 1 to 4 and 6. They were constantly demanding money. Applicant no.4, who is the sister-in-law, it is alleged that telephonically she used to harass the non-applicant no.2.

5. Non-applicant no.2 was personally present before the Court stating that there was matrimonial dispute, which is now settled out of the Court and as per the said settlement she does not want to prosecute the criminal proceeding against the present applicants.

6. During the course of hearing, across the bench, she tendered a certified copy of the order (marked as Annexure 'X') passed by the Additional Chief Judicial Magistrate, Amravati in R.C.C. No.1519 of 2023 on 03.03.2025, to substantiate the fact that in the said proceedings, as per the matrimonial settlement, the case is disposed of.

7. In view of the above settlement and the order passed by the Additional Chief Judicial Magistrate, Amravati, no fruitful purpose will be served by continuing the prosecution against the present applicants

as non-applicant no. 2 is not likely to support the prosecution, even if the trial is allowed to proceed. The continuation of the prosecution would amount to waste of judicial time and energy, and would be an abuse of the process of law.

8. In these circumstances, we proceed to pass the following order :

(a) The Criminal Application is allowed.

Corrected as per
Court's order dated
13.06.2025

(b) The Charge-sheet bearing R.C.C. No.1519 of 2023 arising out of First Information Report No.332 of 2023 registered with the Frezarpura Police Station, Amravati City for the offence punishable under Section 498A read with Section 34 of the Indian Penal Code, is hereby quash and set aside against the present applicants only.

9. The Criminal Application stands disposed of accordingly.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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