



Judgment

942-Cri.APL-355-2025 & 1412-2024

1

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

CRIMINAL APPLICATION (APL) NOS. 355/2025 & 1412/2024.

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CRIMINAL APPLICATION [APL] NO.355/2025.

- 1] Vinay Shrichand Rathod,
Aged about 35 years, Occ.: Service.
- 2] Vimal Shrichand Rathod,
Aged about 65 years, Occ.: Retired,
Both R/o Plot No.63, Welcome Society,
Behind Pandurang Mangal Karyalaya,
Zingabai Takli, Mankapur, Nagpur. ... APPLICANTS.

V E R S U S

- 1] The State of Maharashtra,
Through Police Inspector,
Mankapur Police Station, Nagpur.
- 2] Mrs. Rajani Vinay Rathod,
Aged about 34 years, Occ.: Service,
R/o Flat No.304, Vrundavan Residency,
Nanik Ashtavinayak, Plot No.3/3-A,
Om Nagar, Nagpur 440030. ... NON-APPLICANTS.

Smt S.K. Paunikar, Advocate for the Applicants.
Shri N.Joshi, A.P.P. for Non-applicant No.1/State.
Shri D.C. Daga, Advocate for Non-applicant No.2.

2

WITH

CRIMINAL APPLICATION (APL) No. 1412/2024.

Rajani Vinay Rathod,
Aged about 32 years, Occ.: Service,
R/o Flat No.304, Vrundavan Residency,
Nanik Ashtavinayak, Plot No.3/3-A,
Om Nagar, Nagpur 440030. ... **APPLICANT.**

VERSUS

- 1] The State of Maharashtra,
Through Police Station Officer,
Police Station - Mankapur, Nagpur.
- 2] Vimal Shreechand Rathod,
Aged about 64 years, Occ.: Household,
R/o Plot No.63, Welcome Society,
Zingabai Takli, Nagpur-440030. ... **NON-APPLICANTS.**

Shri D.C. Daga, Advocate for the Applicant.
Shri N.Joshi, A.P.P. for Non-applicant No.1/State.
Smt. S.K. Paunikar, Advocate for Non-applicant No.2.

CORAM : ANIL L. PANSARE AND
M. M. NERLIKAR, JJ

DATE : JULY 23, 2025.

ORAL JUDGMENT (Per Anil L. Pansare, J.) :

3

Heard. Rule. Rule is made returnable forthwith, and by consent of learned Counsel for the parties, the matter is taken up for final disposal.

2. The applicants in Criminal Application No.355/2025 are seeking quashment of First Information Report No.413/2024 registered with Mankapur Police Station, Nagpur for the offence punishable under Sections 498(A), 323, 504, 506 read with Section 34 of the Indian Penal Code.

Similarly, the applicant in Criminal Application No.1412/2024 is seeking quashment of First Information Report No.321/2024 registered with Mankapur Police Station, Nagpur for the offence punishable under Sections 352, 351[2], 118[1] of the Bhartiya Nyaya Sanhita (BNS), 2023. Thus, there are counter first information report filed by the parties against each other.

3. This Court vide order dated 07/05/2025 passed in

4

Criminal Application No.355/2025 referred the matter for Mediation. The parties appeared before the learned Mediator and have settled the dispute. The report of Mediator to that effect is on record. The settlement terms are signed by the parties, their counsel, as also the Mediator. Thus, the dispute has been amicably settled between the parties. The applicant No.1 [husband] Vinay and the non-applicant no.2 [wife] Rajani are personally present before the Court and they are identified by their respective Counsel.

4. We have interacted with the couple to find that they have willingly decided to let go the issue and move ahead in life. In the circumstances, the continuation of the prosecution will serve no useful purpose, rather will amount to abuse of process of law. That being so and in view of the settlement arrived between the parties, the Criminal Applications are allowed and disposed of in terms of prayer clause No.(i) in Criminal Application No.355/2025 and prayer clause (b) in Criminal Application No.1412/2024, which reads as under:-

Criminal Application No.355/2025.

“i) quash and set aside the First Information Report in Crime No.413/2024 dated 26.9.2024 lodged by Mankapur Police Station, Nagpur at the instance of Non-Applicant no.2 u/s 498-A, 323, 504, 506 and 34 of IPC; ”

Criminal Application No.1412/2024.

“b) quash and set aside the First Information Report instituted by non-applicant no.2 on 23.07.2024 bearing No.0321/2024 in Police Station Mankapur, on the basis of the complaint made at the behest of non-applicant 2 against the applicant for the offences punishable under Section 352, 351[2] and 118[1] of Bhartiya Nyaya Sanhita, 2023”

5. Rule is made absolute in above terms.

[M. M. NERLIKAR, J]

[ANIL L. PANSARE, J]