



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

CRIMINAL APPLICATION NO.113 OF 2024

1. Pranay s/o Dadarao Dharale, aged about 33 years, occ. Private.
2. Dadarao s/o Zibalji Dharale, aged about 59 years, occ. Nil.
3. Ujwala w/o Dadarao Dharale, aged about .. years, Occ. Housewife.
4. Sanjay s/o Dadarao Dharale, aged about Major, years, Occ. Priavate.
5. Nandini Sanjay Dharale, aged about major, years, occ. Housewife.

All r/o Ward no. 4, House No. 528, Near Hanuman Mandir, Ayodhya Nagar, Dhudas Layout, Mahadula, Koradi Colony, Nagpur 441 111

... APPLICANTS

VERSUS

1. State of Maharashtra, through Police Station Officer, Police Station, Gondia City, Tq. And Dist. Gondia.
2. Ankita Ghanshyam Meshram, aged about 29 years, Occ. Education, r/o Opposite Jaikunj, Kasturba Ward, Gondia, Tq. And Distt. Gondia.

... NON-APPLICANT(S).

Shri Pravin J. Pandey, Advocate for the applicants.
Shri A.B. Badar, Addl. Public Prosecutor for the State.
Shri A. Aniruddha, Advocate for non-applicant no.2. (appointed.)

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

DATE : 23.04.2025.

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

RULE. Rule made returnable forthwith.

2. The applicants approached to this Court to quash and set aside the criminal proceeding bearing R.C.C. No.178 of 2024 pending on the file of the Judicial Magistrate First Class, Gondia arising out of First Information Report ('FIR') No.8 of 2024 registered with the Gondia City Police Station, District Gondia for the offence punishable under Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. During pendency of present application, there were negotiations were going on between the parties. By order dated 23.01.2025, with the consent of the parties, the matter was referred for mediation. Before the learned Mediator, the matter has been amicably settled on certain terms and conditions. According to the said terms and conditions of settlement, the non-applicant no. 2 agreed to

withdraw all the criminal proceedings lodged against the applicants and gave her no objection to quash the proceeding. The Mediation report dated 03.04.2025 is taken on record and marked as Article 'X'. The terms of settlement are signed by both the parties in presence of the learned Mediator.

4. Today, the applicant/husband and non-applicant no.2 are present in the Court and identified by their respective Counsel. On a query, non-applicant no.2 confirms the amicable settlement and gave her no objection for quashment of criminal prosecution against the present applicants.

5. In view of this, it is clear that no dispute is subsisting between the parties and their dispute is amicably settled on all issues.

6. It is observed by the Hon'ble Supreme Court in the case of *B.S. Joshi vs. State of Haryana AIR 2003 SC 1386* as well as in the case of *Narinder Singh and ors. vs. State of Punjab and ors. (2014) 6 SCC 466*, the Court should exercise the powers to quash and set aside the proceeding arising out of matrimonial dispute when parties have resolved their entire dispute amongst themselves by amicable settlement.

7. In view of the above factual as well as legal position, it is

clear that there is no impediment to accept the amicable settlement arrived between the parties. Hence, we proceed to pass the following order :

- (a) The Criminal Application is allowed.
 - (b) Charge-sheet bearing R.C.C. No.178 of 2024 pending on the file of the Judicial Magistrate First Class, Gondia arising out of First Information Report ('FIR') No.8 of 2024 registered with the Gondia City Police Station, District Gondia for the offence punishable under Sections 3 and 4 of the Dowry Prohibition Act, 1961, is hereby quash and set aside.
8. Fees of the appointed Counsel be paid as per Rules.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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