



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

CRIMINAL APPLICATION (APL) NO.733 OF 2025

1. Sandeep @ Sundeep S/o Onkarnath
Monga, Aged: 37 years, Occu: Private,
(Husband)

2. Madhu W/o Onkarnath Monga,
Aged : 64 years, Occu : Household,
(Mother-in-law)

3. Pradeep S/o Onkarnath Monga,
Aged : 27 years, Occu : Education
All R/o. 9/5 Charansingh Clony, Govind
Nagar, P.G. Govind Nagar, Kanpur. U.P.
(Brother-in-law)

...Applicants

// VERSUS //

1. State of Maharashtra,
Through P.S.O., Lakadganj, Nagpur.

2. Mrs. Yamini W/o Sandeep Monga, @
Yamini D/o Harbanshlal Khurana,
Age : 34 years, Occu : Private,
R/o. Plot No.124, NIT, Ground, Satnami
Nagar, Nagpur.

... Non-applicants

Mr M.V. Rai, Advocate for Applicants.
Mr S.S. Hulke, A.P.P. for Non-applicant/State.
Mr H.J. Khondwani, Advocate for Non-applicant No.2.

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.
DATE : 12/06/2025

ORAL JUDGMENT (Per : Anil S. Kilor, J.)

1. Heard.

2. **RULE.** Rule is made returnable forthwith. Heard finally by consent of the parties.

3. This matter pertains to matrimonial dispute. The non-applicant No.2 is the complainant. The applicant No.1 is husband, applicant No.2 is mother-in-law and applicant No.3 is brother-in-law of the non-applicant No.2.

4. By way of present application, a prayer is made to quash and set aside the Chargesheet No.190 of 2021, dated 03.11.2021, filed in First Information Report No.764 of 2020, dated 15.12.2020 registered with Police Station, Lakadganj, Nagpur, for the offences punishable under Sections 498-A, 406 and 377 of the Indian Penal Code (IPC) and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

5. The learned counsel for the applicants and non-applicant No.2 jointly made a statement that, the matter has been settled between the parties out of the Court and in view of the settlement, even a decree of divorce has been obtained by mutual consent. It is pointed out that

one of the terms and conditions of the settlement is to get the FIR No. 764 of 2020 and Regular Criminal Case No. 4589 of 2021 quashed and set aside by filing appropriate proceeding. Accordingly, the present application came to be filed by the applicants.

6. The non-applicant No.2 is present in the Court and she has been identified by her counsel. She admits that one of the terms of the settlement is to get the FIR in question quashed and set aside.

7. Thus, considering the nature of dispute and further the fact that, the parties have settled the matter, we are of the opinion that, even if the trial is conducted, no fruitful purpose will be served and in that event, the whole exercise will be proved as futile.

8. In that view of the matter, we accept the statement of the non-applicant No.2 that she does not want to prosecute the applicants. Accordingly, we pass the following order :-

- i) The Criminal Application is **allowed**.
- ii) The proceeding, namely Regular Criminal Case No.4589 of 2021, pending on the file of learned Judicial Magistrate First

Class (Court No.3), Nagpur, arising out of Chargesheet No.190 of 2021, dated 03.11.2021 and First Information Report No.764 of 2020, dated 15.12.2020, registered with Police Station, Lakadganj, Nagpur, for the offences punishable under Sections 498-A, 406 and 377 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961, is hereby quashed and set aside.

Rule is made absolute in above terms. No costs.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

C.L.Dhakate