



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

**CRIMINAL APPLICATION (APL) NO. 1238 OF 2019**

1. **Nitesh Ganesh Madre**  
Aged about 34 years,  
Occupation : Service
2. **Ganesh Vitthal Madre**  
Aged about: 58 years,  
Occupation: Service
3. **Smt. Sunita Ganesh Madre**  
Aged about 54 years,  
Occ. Household

Nos.1 to 3 R/o. Plot No.49(A),  
Rajapethh Hudkeshwar road,  
Nagpur

4. **Sagar @ Gullu Raghuvir Makrande,**  
Aged about:-39 years,  
Occ. Private,  
R/o Bara Singal, Borkar Nagar,  
Sweeper Colony, Nagpur  
(Ori Accused No.1 to 4)

**APPLICANTS**

**// V E R S U S //**

1. **The State of Maharashtra,**  
Through Police Station Officer,  
Hudkeshwar Police Station  
Nagpur
2. **Smt. Vijeta Nitesh Madre**  
**(Vijeta Rajendra Kailskar)**  
Aged about 32 years,  
Occ:- not known,  
C/o Tulsibai Rajendra Kailaskar,  
Near House of Makre, Near  
Railway Crossing, Anand Nagar,  
Wardha 442001 (ori informant)

**NON-APPLICANTS**

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Mr. Rahul Tajne, Advocate for the applicants.  
Mr. N.B. Jawade, APP for non-applicant No.1/State.  
Mr. A.P. Joshi, Advocate for non-applicant No.2.  
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**CORAM : URMILA JOSHI PHALKE, J.**

**DATED : 19.01.2026**

**ORAL JUDGMENT :**

1. Heard.
2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.
3. The present application is preferred by the applicants under Section 482 of the Code of Criminal Prosecution for quashing of the First Information Report in connection with crime No.302/2014 registered at Police Station Hudkeshwar District Nagpur for the offences punishable under Sections 498-A, 504 and 506 (b), 323 and 34 of the IPC and section 4 and 5 of the Dowry Prohibition Act and consequent proceeding arising out of same bearing RCC No.3898/2014 pending before the learned Judicial Magistrate First Class, Nagpur.

4. Heard learned counsel for the applicants, who submitted that crime is registered on the basis of the report lodged by non-applicant No.2 on an allegation that her marriage was performed on 29.05.2013. After marriage she resumed the cohabitation but she was not treated well. She was physically and mentally harassed by the present applicants. He further submitted that prior to filing of this application matrimonial proceedings were filed before the family court and the said proceeding were settled.

5. Admittedly they have obtained decree of divorce and they have performed marriages respectively after obtaining decree of divorce. They are residing along with their respective husband and wife at their places. Now there is no purpose to keep the application pending in view of settlement recorded before the competent court. The application be disposed of.

6. Learned counsel for the non-applicant No.2 has also endorsed the same contention though learned APP strongly objected the same but considering the settlement is already recorded before the competent court and now parties have already settled in their future life. In view of that, no purpose would be

served by keeping the application pending. Hence, the application deserves to be allowed.

7. In view of that, I proceed to pass following the order:-

**ORDER**

(i) The Criminal Application is allowed.

(ii) First Information Report in connection with crime No.302/2014 registered at Police Station Hudkeshwar District Nagpur for the offences punishable under Sections 498-A, 504 and 506 (b), 323 and 34 of the IPC and section 4 and 5 of the Dowry Prohibition Act and consequent proceeding arising out of same bearing RCC No.3898/2014 pending before the learned Judicial Magistrate First Class, Nagpur are hereby quashed and set aside to the extent of applicant Nos.1 to 4 Nitesh Ganesh Madre, Ganesh Vitthal Madre, Smt. Sunita Ganesh Madre and Saga @ Gullu Raghuvir Makrande.

8. Criminal Application stands disposed of in the above terms.

( URMILA JOSHI PHALKE, J.)