



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

Criminal Application (APL) No.42/2025

Sumit Singh V State of Maharashtra thr PSO PS Wathoda and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M.R. Pande, Advocate for applicant.
Mr. Badar, APP for State.
Mr. R.B. Bomewar, Advocate for NA No.2.

CORAM : Nitin B. Suryawanshi &
Pravin S. Patil, JJ.

DATE : 13-03-2025.

This application is filed by applicant under Section 482 of the Code of Criminal Procedure read with Section 528 of the Bhartiya Nagrik Suraksha Sanhita for quashing of the First Information Report (FIR) in Crime No.0219/2024 registered with Wathoda Police Station, District Nagpur, under Sections 376 (2)(n) and 506 of the Indian Penal Code, at the instance of non-applicant no.2.

ii. It is alleged in the FIR that by giving a promise of marriage, applicant established physical contact with non-applicant no.2.

iii. Applicant and non-applicant no.2 have amicably settled their dispute and they have performed marriage, their marriage certificate is placed on record.

iv. Non-applicant no.2 in the statement recorded under Section 164 of Cr.P.C. on 17-10-2024, before learned Judicial Magistrate First Class, Court No.8, Nagpur in the present crime has stated that she does not wish to prosecute the applicant, as she has married with him. Non-applicant no.2 has filed affidavit stating that she has married with applicant on 08-08-2024 and they are residing happily as husband and wife at Nagpur. She further stated that dispute between applicant and non-applicant no.2 is amicably settled and she has no objection to quash the proceedings against the applicant.

v. Applicant and non-applicant no.2 are present in the Court. They are identified by their respective advocates. Non-applicant no.2 confirms that dispute between applicant and herself is amicably settled and they are married to each other and are leading happy married life. She therefore does not wish to prosecute the applicant and she is withdrawing all the allegations made by her in the FIR in question against the applicant.

vi. In view of above, as applicant and non-applicant no.2 are leading happy married life, taking into consideration their future, this Court is of the view that continuation of prosecution

would be an abuse of process of law and Court and no useful purpose would be served by continuing the prosecution against applicant.

vii. In the result, application is allowed in terms of prayer clause (i).

(Pravin S. Patil, J.)

(Nitin B. Suryawanshi, J.)