



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

CRIMINAL APPLICATION (APL) NO. 186 OF 2025

[Rohit S/o Ravi Varyani and ors. **vs.** State of Maharashtra, through
P.S.O., Beltarodi, Nagpur, Dist. Nagpur and anr.]

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

Court's or Judge's orders

Mr. P. M. Sinha, Advocate for the applicants
Mrs. S. S. Jachak, APP for the State/non-applicant no. 1
Mr. Muzammil Hussain, Advocate for non-applicant no. 2

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

DATED : 07-08-2025.

Heard.

2. By present application, the applicants are seeking to quash First Information Report (FIR) lodged by non-applicant no. 2 vide Crime No. 32/2025 registered at Police Station Beltarodi, Nagpur for the offences punishable under Sections 498A, 504 and 323 read with Section 34 of the Indian Penal Code.

3. Learned counsel for non-applicant no. 2 has tendered across bar reply stating therein that the dispute has been settled. Applicant no. 1 has paid Rs. 3,00,000/- to the non-applicant no. 2. The parties have decided to put to rest the issues and to lead peaceful life. The parties have obtained divorce by mutual consent. The non-applicant no. 2 has no further grievance.

4. The applicants and non-applicant no. 2 are present before the Court. We have interacted with them. They have stated that the dispute is willingly settled.

5. That being so, though the offences punishable under Section 498A of the Indian Penal Code is non cognizable, considering the fact that the parties have settled the dispute, continuation of prosecution will yield no useful result, rather will amount to abuse of process of law.

6. We are, therefore, of the view that the powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 could be invoked. Accordingly, the application is allowed in terms of prayer clause (a) which reads thus :

“(i) quash and set aside the F.I.R. lodged against the Applicant No. 1 to 4 (ANNEXURE-A) vide Crime No. 32/2025 dated 17/01/2025 registered at Police Station, Beltarodi, Nagpur Dist. Nagpur for the offence’s punishable u/s 498-A, 504, 323 and 34 of I.P.C., in the interest of justice;”

7. The application is disposed of in above terms.

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)

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