



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

CRIMINAL APPLICATION NO.181 OF 2025

1. Mujahid Qamar s/o Nasir Ahmad,
(husband), aged 37 years, Occ. Business.
2. Hajra Begum w/o Nasir Ahmad, (Mother
in law) aged 59 years, Occ. Housewife.
3. Tafheem Ahmad s/o Nasir Ahmad
(Brother in law), aged 27 years, Occ.
Business.
4. Farzana Begum w/o Mushir Ahmad
(sister in law) aged about 42 years.
5. Noor Afshan d/o Nasir Ahmad (sister in
law) aged about 30 years, all applicant
no. 1 to 5 are r/o near Nasir Kirana
Store 888, Mominpura, Mahatma Fule
Baza, Nagpur 440018

... APPLICANTS

VERSUS

1. State of Maharashtra, through the
Tahsil Police Station, Nagpur.
2. Afrin w/o Mujahid Qamar, aged 32
years, r/o Near Nasir Kirana store,
Mominpura, Nagpur – 440 018 &

Presently r/o c/o Sodik Ansari near

Lodhipura Lal School, Ganeshpeth,
Nagpur – 440 001.

... NON-APPLICANT(S)

Advocate Ammas Yasir, with Ms. Apurva Tarvarkar, Advocate for the applicants.

Shri A.R. Chutake, Addl.PP for the State.

Shri M.S. Gupta, Advocate for non-applicant no. 2.

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

DATE : 06.05.2025.

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

. **RULE.** Rule made returnable forthwith.

2. By this application, the applicants are seeking quashment of charge-sheet no.28/2020 arising out of First Information Report No.502 of 2019 registered with the Tahsil Police Station, Nagpur City for the offence punishable under Sections 323, 498A, 504, 506 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicants and non-applicant no.2 jointly made a statement that there was matrimonial discord between the parties and out of misunderstanding, the complaint was lodged by non-applicant no.2. However, during the pendency of the application,

their entire dispute has been resolved before the Family Court, Nagpur.

4. Learned Counsel appearing for non-applicant no.2 filed an affidavit on record wherein she has confirmed the fact that before the Family Court, Nagpur their dispute has been resolved. Now, she does not want to prosecute the criminal proceedings registered against the applicants and willing to withdraw all the allegations made by her against the present applicants.

5. 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.

6. In view of the above, there is no impediment to quash and set aside the criminal prosecution registered against the applicants. Accordingly, we pass the following order :

(a) The Criminal Application is allowed.

- (b) charge-sheet no.28/2020 arising out of First Information Report No.502 of 2019 registered with the Tahsil Police Station, Nagpur City for the offence punishable under Sections 323, 498A, 504, 506 read with Section 34 of the Indian Penal Code, is hereby quash and set aside.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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