



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

CRIMINAL APPLICATION NO.183 OF 2025

1. Farhan Ahmad s/o Nasir Ahmad,
(brother of applicant no. 3), aged 35
years, Occ. Business, r/o Near Nasir
Kirana Store 888, Mominpura, Mahatma
Fule Bazar, Nagpur 440018
2. Mohammad Ejaj s/o Mohammad Murtuz
(uncle of applicant o. 3), aged 51 years,
Occ. Business, r/o Near Risaldar Akhada
215, Murtuza Manzil, Qidwai Road,
Mominpura, Nagpur 18,
3. Mujahid Qamar s/o Nasir Ahmad
(brother in law/Jijaji) aged 37 years,
Occ. Business 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. Yaseen s/o Sadik Ansari, aged 26
years, r/o Lodhipura, behidn
Woodland Hotel, Nagpur 440001

... 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.89/2021 arising out of First Information Report No.49 of 2021 registered with the Tahsil Police Station, Nagpur City for the offence punishable under Sections 294, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicants and learned Counsel appearing for non-applicant no.2 jointly made a statement that there was matrimonial discord between the parties, which has been now settled between the parties.

4. Learned Counsel appearing for non-applicant no.2 filed an affidavit on record wherein non-applicant no.2 has stated that on

account of intervention of her elder family members the dispute between her and the applicants has been settled. Hence, she has no objection to quash and set aside the criminal proceeding pending against the applicants. In support of this submission, non-applicant no.2 filed an affidavit on record.

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 proceeding registered against the applicants. Accordingly, we pass the following order :

- (a) The Criminal Application is allowed.
- (b) Charge-sheet no.89/2021 arising out of First Information Report No.49 of 2021 registered with the Tahsil Police Station, Nagpur City for the offence punishable under Sections 294, 323, 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.)

Trupti