



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

CRIMINAL APPLICATION (APL) NO. 374/2021

1. Junaid s/o. Ibrahim Khan,
aged 35 yrs., Occ. Presently Nil,
2. Ibrahim Khan s/o Sher Khan,
aged 65 yrs., Occ. Nil,
3. Shamim w/o. Ibrahim Khan,
aged 60 yrs., Occ. House wife,
4. Sabdar Khan s/o Sher Khan,
aged 70 yrs., Occ. Nil,

Nos. 1 to 4 are R/o. Chota Bazar
Chowk, Chandrapur, Tah. & Dist.
Chandrapur.

...APPLICANTS

VERSUS

1. State of Maharashtra,
through the Police Station Officer,
(City), Chandrapur, Tah. & dist.Chandrapur.
2. Shirin Khan w/o. Junaid Khan,
aged 28 yrs., Occ. Fashio Designer,
R/o. Gitanjali Chowk, near Khan
Masjid, Hansapuri Ward, Nagpur.

NON-APPLICANTS

Mr. J.D. Doye, Advocate for the applicants.
Ms. Ritu Sharma, APP for non-applicant No.1/State.
Ms. A.I. Khan, Advocate for non-applicant No.2.

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

DATE : 26.08.2025

Heard.

2. The learned counsel for applicants submits that applicant No.4 expired on 30.10.2022 and death certificate to that effect is placed on record. He seeks leave to delete the name of applicant No.4.

3. Leave granted.

4. Name of applicant No.4 be deleted. Amendment be carried out forthwith.

ORAL JUDGMENT : (PER: ANIL L. PANSARE , J.)

1. Heard.

2. On 20.08.2025, the following order was passed:-

“4. Heard.

5. In December, 2024, the applicant No.1 and non-applicant No.2 filed an application stating therein that the dispute has been amicably settled between the parties with a prayer to quash the proceedings pending before the Chief

Judicial Magistrate, Chandrapur for the offences punishable under Section 498A and 506 read with Section 34 of the Indian Penal Code, 1860. The applicant No.1 and non-applicant no.2 have decided to reside separately. The maintenance amount has been paid by applicant No.1 to the non-applicant No.2 as one time alimony. Rs.15,00,000/- has been paid to non-applicant No.2 and Rs.17,50,000/- has been invested in a Fixed Deposit in the name of two children. The proceedings filed by non-applicant No.2 against the applicants under the provisions of the Protection of Women from Domestic Violence Act, 2005, has been withdrawn. Similarly, the proceedings filed under Section 125 of the Criminal Procedure Code, 1973, has been also withdrawn. What remains is the proceeding pending before the Chief Judicial Magistrate, Chandrapur.

6. We have interacted with applicant and non-applicant no.2 to find that they have willingly resolved the dispute and have decided to put to rest the pending issues and to lead a peaceful life. We appreciate the decision taken by the parties. The application filed before us is, however, not signed by applicant Nos.2 to 5.

7. At this stage, the counsels made a request to grant some time to file a Joint Pursis. Time granted. List on 26/08/2025.

8. The presence of applicant and nonapplicant no.2 is exempted for next date, so also, the presence of the other applicants for the reason that the contesting parties were applicant no.1 and nonapplicant no.2.

9. The Advocate shall identify the signatures of the other applicants and place the same before the Court for further consideration.”

3. In compliance of aforesaid order, the parties have filed joint pursis dated 25.08.2025 mentioning therein that they have amicably settled the dispute between them and they have decided to put to rest all issues and to lead a peaceful life.

4. In the circumstances, continuation of proceedings will yield no useful result rather will amount to abuse of the process of law. This is thus a fit case, wherein the jurisdiction under Section 482 of the Code of Criminal Procedure can be invoked. Accordingly, we allow the application in terms of prayer clause (i) which reads as under:-

“(i) quash the Final Report No.247 of 20 and charge sheet in Regular Criminal Case No. 2142/2020 at Annexure 9 pending before the Chief Judicial Magistrate, Chandrapur for the offence under Section 498A, 506 of the Indian Penal Code read with Section 34 be quashed.”

5. Application stands disposed of in above terms.

Gohane

(M. M. NERLIKAR , J.)

(ANIL L. PANSARE, J.)