



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

CRIMINAL APPLICATION (APL) NO. 370 OF 2024

Nilesh s/o Shivilal Wasnik and anr.

Vs.

State of Maharashtra, Thru. PSO, PS Ajni, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Osaiduddin Quazi, Advocate h/f Mr. M. Husain,
Advocate for applicants.
Ms. Sneha Dhote, APP for non-applicant No.1/State.
Mr. Inderdeep Singh Kalsi, Advocate for non-applicant
No.2.

**CORAM : URMILA JOSHI PHALKE, AND
PRAVIN S. PATIL, JJ.**

DATE : 04.12.2025

The present application is preferred by the applicants, who are the husband and mother-in-law for quashing of the First Information Report in connection with Crime No.41/2024 registered under Sections 323, 417, 498-A, 500, 504, 506 read with Section 34 of the Indian Penal Code.

2. The crime is registered on the basis of the report lodged by the non-applicant No.2, on an allegation that her marriage was performed with the applicant No.1 in the year, 2022. After marriage, she

resumed the cohabitation but she was not treated well and subjected for illtreatment. On the basis of the said report, Police have registered the crime against the present applicants.

3. During pendency of this application, both parties arrived at a settlement and now they have decided to obtain the divorce by mutual consent. The joint pursis is filed on record showing that now they have decided to obtain the decree of dissolution of marriage by mutual consent. It was further agreed that the applicant No.1 shall pay the amount of Rs.12,00,000/- (Rs. Twelve Lakhs) towards the full and final settlement to the non-applicant No.2. The amount is already paid. The parties are present before the Court, who have agreed and accepted the terms and conditions of the settlement. In view of that, the application deserves to be allowed.

4. However, considering that the entire Police machinery have spared their time for the investigation of the said crime as well as the Court has also spared the time. Therefore, the application deserves to be allowed subject to the costs.

5. In view of the observation of the Hon'ble Apex Court in the case of ***Gian Singh Vs. State of***

Punjab, MANU/SC/0781/2012 : wherein Apex Court has observed that *“quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled, although offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the ultimate guiding factor.”*

6. In view of the observations of the Hon'ble Apex Court, the application deserves to be allowed. Therefore, we proceed to pass the following order :

ORDER

- (i) The application is allowed.
- (ii) The First Information Report in connection with Crime No.41/2024 registered under Sections 323, 417, 498-A, 500, 504, 506 read with Section 34 of the Indian Penal Code is hereby quashed and set aside subject to the costs of Rs.20,000/- by the applicants and Rs.10,000/- by the non-applicant

No.2. The costs of Rs.20,000/- be paid to the High Court Bar Association, Nagpur and the amount of Rs.10,000/- be paid to the Vidarbha Lady Lawyers Association, Nagpur.

(iii) The order shall come into effect after the payment of the costs and its compliance. The compliance be reported to this Court.

(PRAVIN S. PATIL, J.)

(URMILA JOSHI PHALKE, J.)