



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

Criminal Application (APL) No. 247 of 2025

Vinod Digambar Narwade,
Age about 37 years, Occ. Lawyer,
R/o Ganpati Lane, Mehkar, Taluka
Mehkar, District Buldhana

// VERSUS //

1. The State of Maharashtra through
Police Station Officer, Police Station
Washim City, District Washim
2. Deepali W/o Vinod Narwade,
Aged 32 years, Occ. Household,
C/o Dyaneshwar Tukaram Hazare,
Radha Krushna Nagar, Civil Lines,
Washim, Taluka and District Washim ... Non-applicants

Shri S.B.Gandhe, Advocate for the applicant.

Ms. Shamsi Haider, APP for the non-applicant/State

**CORAM : ANIL S. KILOR &
PRAVIN S. PATIL, JJ.**

DATED : 26th MARCH, 2025.

ORAL JUDGMENT : (PER : PRAVIN S. PATIL, J.)

Rule. Rule is made returnable forthwith. By consent of the
learned counsel for the parties, the matter is taken for final disposal.

2. By way of present application, the applicant seeks to quash
and set aside the proceedings i.e. Summary Criminal Case No. 1832 of

2022 pending on the file of Judicial Magistrate First Class, Court No.2 Washim arising out of First Information Report No. 624 of 2022 registered with Washim Police Station and charge-sheet No. 323 of 2022 dated 3rd September, 2022 for the offence punishable under Sections 294 and 506 of Indian Penal Code.

3. The non-applicant no.2 out of matrimonial discord lodged the report on 5th August, 2022 against the applicant alleging that on 5th August, 2022 in the Court premises the present applicant had abused her in filthy language and therefore she was constrained to lodge the report against the applicant.

4. After registration of complaint, there was amicable settlement between parties, accordingly applicant and non-applicant no.2 before Civil Judge, Senior Division, Washim, filed proceeding for mutual divorce under Section 13(b) of Hindu Marriage Act, which was registered as HMP No. 18 of 2025. In the said proceeding, as per settlement non-applicant no.2 stated that she will withdraw all the police complaints lodged against the applicant including the First Information Report in question in the present proceedings.

5. After appearance of the non-applicant no.2 in the present matter, affidavit came to be filed dated 6th March, 2025 and it is reiterated that their matrimonial dispute has been amicably settled, in terms of the conditions stated in the petition for mutual divorce. She has categorically made a statement on oath that she has no objection if the First Information Report and consequential proceeding registered against the applicant is quashed and set aside.

6. Hon'ble Supreme Court of India, time and again held that it is the duty of the Court to encourage genuine settlement of matrimonial dispute. It is also held that if for the purpose of securing ends of justice, quashing of FIR becomes necessary, Section 320 of Code of Criminal Procedure would not be a bar to exercise the power of quashing of First Information Report. This view is recently reiterated by the Hon'ble Supreme Court in the case of B.S.Joshi and others Vs. State of Haryana and another reported in 2003(4) SCC 675.

7. In the present matter in view of amicable settlement and petition for mutual divorce is filed vide HMP No. 18 of 2025 before the Civil Judge, Senior Division, Washim and this fact confirmed by non-

applicant no.2 by filing specific affidavit on record, we have no hesitation to allow the present application.

ORDER

- i. Criminal Application No. 247 of 2025 is allowed;
- ii. Summary Criminal Case No. 1832 of 2022 pending on the file of Judicial Magistrate First Class, Court No.2 Washim arising out of First Information Report No. 624 of 2022 registered with Washim Police Station and charge-sheet No. 323 of 2022 dated 3rd September, 2022 for the offence punishable under Sections 294 and 506 of Indian Penal Code is hereby quashed and set aside.

Rule is made absolute in aforesaid terms. No order as to costs.

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]