



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

CRIMINAL APPLICATION NO.268 OF 2025

1. Ravikant s/o Bhavindrasingh Sambhalwar, age : 31 yrs, Occ. Service, at present r/o MSEB Quarter No.4/5, Mankapur, Tq. And Dist. Nagpur.
2. Bharti w/o Bhavindrasingh Sambhalwar, age : 63 yrs, Occ. Housewife,
3. Roshani w/o Roshan Lilhare (Roshani d/o Bhavindrasingh Sambhalwar), Age : 23 years, Occ. Household, All above applicants ae r/o At post Dewhadi, Tq. Tumsar, Dist. Bhandara.

... APPLICANTS

VERSUS

1. State of Maharashtra, through Police Station Officer, Mankapur, Nagpur.
2. Sau. Aradhna w/o Ravikant Sambhalwar, age : 25 yrs, Occ. Housewife, r/o MSEB, Quarter No. 4/5 Mankapur, Tq. And Dist. Nagpur.

... NON-APPLICANT(S).

Shri Rajat A. Biranware, Advocate for the applicants.
Mrs Haider, Additional Public Prosecutor for the State.
Shri L.L. Pawankar, Advocate for non-applicant no.2.

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

DATE : 17.04.2025.

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

Heard. **ADMIT.**

2. The matter is taken up for final disposal by consent of both the parties.

3. The applicants approached to this Court to quash and set aside the First Information Report bearing Crime No.490 of 2024 registered with the Mankapur Police Station, Nagpur City for the offence punishable under Sections 85, 352, 351(2), 3(5), 115(2) of the Bharatiya Nyaya Sanhita (BNS) 2023, on the ground of mutual settlement in between the parties.

4. In the present case, the applicant and non-applicant no. 2 jointly stated that after the alleged incident dated 31.10.2024, out of frustration and anger, the police complaint had been lodged at the instnace of the non-applicant no.2 on 01.11.2024. Thereafter dispute between them is amicably settled and presently, they are residing together peacefully and enjoying happy married life. The offence being non compoundable, they approached to this Court to quash and set aside the criminal proceedings registered against the present

applicants.

5. Non-applicant no.2 is present in the Court and identified by her Counsel and on interaction with her, she supported the case of the applicant by stating that matter has been amicably settled and she is happily residing with the applicant no.1/husband. In support of submission, she also placed on record the settlement affidavit.

6. In view of this, it is clear that there is no dispute is subsisting between the parties and their dispute is amicably settled on all issues.

7. 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.

8. In view of the above factual as well as legal position, it is clear that there is no impediment to accept the amicable settlement arrived between the parties. Hence, considering that the dispute between the parties have been resolved and they live together, we pass

the following order :

- (a) The Criminal Application is allowed.
- (b) First Information Report bearing Crime No.490 of 2024 registered with the Mankapur Police Station, Nagpur City for the offence punishable under Sections 85, 352, 351(2), 3(5), 115(2) of the Bharatiya Nyaya Sanhita (BNS) 2023, is hereby quash and set aside.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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