



Judgment

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

CRIMINAL APPLICATION (APL) NO.636/2022

1. Aman Angad Adole,
aged 30 years, occupation: grocery shop.
2. Angad Shankarrao Adole,
aged 62 years, occupation: retired professor.
3. Nanda Angad Adole,
aged 56 years, occupation: household.
4. Anuja Angad Adole,
aged 25 years, occupation: household.

Applicants 1 to 4 r/o Ansham 145 Pete
Nagar, Aurangabad, taluka and
district: Aurangabad.

5. Sanjay Narayan Manwar,
aged 52 years, occupation: service,
r/o near Airport, Aurangabad,
taluka and district: Aurangabad.
6. Bandu Narayan Manwar,
aged 58 years, occupation: service.
7. Deepak Narayan Manwar,
aged 50 years, r/o service.

Applicant Nos.6 and 7 r/o
Bhimnagar, Buldhana, taluka and

district: Buldhana. Applicants.

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1. State of Maharashtra, through Police Station Officer, Police Station Manora, district: Washim.

2. Sau.Pooja Aman Adole,
aged 27 years, occupation: household,
r/o c/o Chhagan Tukaram Manwar,
r/o Tornala, taluka Manora,
district: Washim. Non-applicants.

**Ms.Payal Kaware, Counsel for Applicants.
Shri M.J.Khan, Addl.PP for NA No.1/State.**

**CORAM : URMILA JOSHI-PHALKE &
NANDESH S.DESHPANDE, JJ.**

DATE : 23/12/2025

JUDGMENT (Per : Urmila Joshi-Phalke)

1. By this application under Section 482 of the CrPC, applicants are seeking quashing of FIR in connection with Crime No.39/2022 registered under Sections 498-A and 504 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.102/2025.

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2. The crime is registered on the basis of a report lodged by non-applicant No.2 (the informant) on allegations that her marriage was performed with applicant No.1 on 5.11.2020. After the marriage, she resumed cohabitation at the house of applicants. Her parents have incurred expenses for the said marriage and given all gifts and domestic articles to her. Her husband is handicapped and, therefore, other applicants used to ill-treat her. Even, the fact, that he is handicapped, was not disclosed to her. It is further alleged that she was physically and mentally ill-treated by applicants and, therefore, she was constrained to approach the police station and she lodged the report. On the basis of the said report, the police have registered the crime against applicants. After completion of investigation, the investigating officer has filed the chargesheet.

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3. During pendency of this application, the parties have arrived at a settlement. They have filed an application for dissolution of marriage bearing No.130/2022 and the same was allowed by learned CJSD, Mangrulpir, district Washim by passing decree on 19.4.2023.

4. Learned counsel Ms.Payal Kaware for applicants submitted that in view of the settlement, they have obtained decree of dissolution of marriage and, therefore, no purpose would be served by asking applicants to face the trial. In view of that, though the offence is non-compoundable, applicants be permitted to settlement dispute and the FIR be quashed.

5. *Per contra*, learned Additional Public Prosecutor Shri M.J.Khan for the State strongly opposed the same and submitted that considering the offence is non-compoundable, the application deserves to be rejected.

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6. We have perused the decree of divorce passed by learned CJSD and allegations levelled against applicants and settlement terms. The settlement terms are also verified from applicant No.1 and the informant. They have agreed and accepted the terms and conditions.

The consented terms are also verified by the Registrar (Judicial) of this Court. The informant is verified by learned counsel for applicants.

7. The nature of dispute is matrimonial in nature.

8. The Hon'ble Apex Court in the case of **Gian Singh vs. State of Punjab and anr**, reported in **MANU/SC/0781/2012**, observed that, "*where High Court quashes a criminal proceeding having regard to the fact that dispute between the offender and victim has been settled although offences are not compoundable, it does so as in its opinion, continuation of criminal proceedings*

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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”.

In this regard, a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or family dispute, where the wrong is basically to victim and the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable.

9. Though the offence is non-compoundable, considering the offence is matrimonial in nature and no purpose would be served by asking applicants to face trial, it would be a futile exercise. In view of that, the application deserves to be allowed. However, at the same time, considering, that the police machinery have spared their time for their investigation as well as during

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adjudication, the courts have also spared its time and, therefore, the application deserves to be allowed subject to costs. Accordingly, we proceed to pass following order:

ORDER

(1) The Criminal Application is **allowed**.

(2) FIR in connection with Crime No.39/2022 registered under Sections 498-A and 504 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.102/2025 are hereby quashed and set aside to the extent of applicants.

(3) Applicants shall deposit costs Rs.10,000/- with the Government Pleader's Library at Nagpur within a period of one week from today.

(4) Considering economic condition of the informant, no costs is imposed on her.

(5) This order will come into effect after compliance of the payment of the costs. The compliance be reported this court.

Application stands **disposed of**.

(NANDESH S.DESHPANDE, J.)

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!