



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

**CRIMINAL APPLICATION (APL) NO.664 OF 2022**

Jay s/o Sanjay Mokati and others  
Vs.

The State of Maharashtra, through its Police Station Officer, Akot,  
District Akola and another

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Mr. V. J. Kedar, Advocate h/f Mr. Alok Daga, Advocate for the applicants.  
Ms. Shamsi Haider, APP for non-applicant No.1/State.  
Ms. Ragini Swami, Advocate h/f Mr. R. M. Tahaliyani, Advocate for  
non-applicant No.2.

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

**DATED : 07/11/2025**

1. Present application is preferred by the applicants for quashing of the First Information Report in connection Crime No.0158/2022, registered with Police Station Akot, District Akola for the offence punishable under Section 498-A of the Indian Penal Code.

2. The applicant No.1 is the husband and the informant has lodged a report against them on an allegation that after marriage on 15.02.2017, she resumed cohabitation at the house of the present applicants. Present applicants have not treated well and the matrimonial dispute arose between them and she constrained to leave the matrimonial house, due to the ill-treatment at the hands of the present applicants. After registration of the crime, the applicants approached to this Court.

3. During pendency of this application, as there was an element of settlement, the matter was referred to the mediation. During the mediation process, the matter was settled and now the non-applicant No.2 has joined the company of the applicant No.1 and they are residing together. The applicant No.1 and non-applicant No.2 both appeared through video conferencing. The contents of the settlement are verified from them and they both have stated that they are residing together and now there is no grievance against each other.

4. In view of the observation of the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab and another** reported in **MANU/SC/0781/2012** wherein the Hon'ble Apex Court has observed that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled, although the 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. In this regard a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, where the wrong is basically to the victim but the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable. The High Court may, within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied

that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated. The same view is taken in **Naushey Ali Vs. State of U.P., (2025) 4 SCC 78**, wherein it is observed that when the parties have amicably resolved the dispute, it would be futile and the ends of justice require that the settlement be given effect by quashing the proceedings.

5. In view of the above observations and considering that the matrimonial dispute between the parties is already settled, the application deserves to be allowed. In view of that, we proceed to pass following order:

**ORDER**

(i) The application is **allowed**.

(ii) The First Information Report in connection with Crime No.0158/2022 dated 03.03.2022 registered with Police Station Akot, District Akola for the offence punishable under Section 498-A of the Indian Penal Code and consequent proceeding bearing charge sheet No.40/2022 dated 30.04.2022, is hereby quashed and set aside.

The application is disposed of.

**(NANDESH S. DESHPANDE, J)      (URMILA JOSHI-PHALKE, J)**