



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

Criminal Application (APL) No. 548 of 2025

Shital Mayur Gajbhiye

Versus

**The State of Maharashtra through Police Station Officer, Police Station
Sadar, District Nagpur and another**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri G.B.Mate, Advocate for the applicants.

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

Shri A.N.Shinde, Advocate for the non-applicant no.2.

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

DATED : 28th APRIL, 2025.

By way of present application filed under Section 482 of the Code of Criminal Procedure, the applicant is seeking to quash the proceeding Regular Criminal Case No. 1100 of 2025 pending before Judicial Magistrate First Class Court No. 6, Nagpur arising out of Charge-Sheet No. 37 of 2025 and First Information Report No. 0321 of 2024 dated 18th May, 2024 for the offence punishable under Sections 506(2), 294, 195-A, 143 of the Indian Penal Code.

2. The applicants are husband and wife and the complainant is non-applicant no.2. Both the learned counsel appearing for the applicants and non-applicant no.2 have made a statement that the parties have amicably settled the matter out of the Court.

3. Despite the statement, we have perused the First Information Report and the contents of the same. It is evident even if the allegations are taken on its face value in view of judgment of Hon'ble Supreme Court in the case of Salib @ Shalu @ Salim Vs. State of Uttar Pradesh and others reported in 2023 LiveLaw (SC) 618, the offence under Section 195-A will not attract in this case.

4. As far as other offences are concerned, though prima facie there is material. However, considering that the matter has been settled, even if the trial is permitted after filing of charge-sheet, it would be a futile exercise in view of the settlement.

5. Thus, considering the nature of offence and the settlement, we are of the opinion that the application needs to be allowed. Accordingly, we proceed to pass the following order.

i. Criminal application is allowed;

ii. Regular Criminal Case No. 1100 of 2025 pending before Judicial Magistrate First Class Court No. 6, Nagpur arising out of Charge-Sheet No. 37 of 2025 and First Information Report No. 0321 of 2024 dated 18th May, 2024 for the offence punishable under Sections 506(2), 294, 195-A, 143 of the Indian Penal Code is hereby quashed and set aside against the applicant no.1 - **Sau. Shital Mayur Gajbhiye** and applicant no.2 - **Mayur Laxman Gajbhiye**.

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]