

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

CRIMINAL APPLICATION (APL) NO.598 OF 2025

Anubhav Roy Choudhary and others

Vs.

The State of Maharashtra and another

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

Court's or Judge's orders

Shri P.k. Sathianathan, Advocate for applicants
Shri A.G. Mate, APP for non-applicant/State
Ms T.A. Agre, Advocate for non-applicant No.2

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

DATED : 19.12.2025

The application is for quashing of the First Information Report in connection with crime No. 0147/2023 and charge sheet No. 219/2024. Considering the nature of the dispute, which is matrimonial in nature, the matter was referred to mediation. During the mediation process, the matter is settled. In view of the statement terms, the applicant No.1 has already deposited the amount by way of Demand Draft bearing No. 022070 of Rs.20,00,000/-. The parties are present before the Court. The settlement terms are verified by them. They have agreed and accepted the terms of the settlement.

2. Though Sections 498-A, 377, and 406 of the Indian Penal Code are non compoundable one, but considering the nature of the dispute, which is of a

matrimonial nature, and in the light of the observation of the Hon'ble Apex Court in the case of ***Gian Singh Vs. State of Punjab, (2012) 10 SCC 303***, wherein, the Hon'ble Apex Court has observed that *“where the High Court quashes a criminal proceeding having regard to the fact that 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.”*, the application deserves to be allowed. Hence, we proceed to pass the following order :

ORDER

- i) The application is allowed.
- ii) The First Information Report in connection with crime No. 0147/2023 and consequent Charge-sheet No. 219/2024, is hereby quashed to the extent of the present applicants i.e., 1 – Anubhav Roy Choudhary, 2 – Sau Mita Kamlesh Roy Choudhary, 3 – Kamalika Roy Choudhary.
- iii) On compliance of the terms and conditions, the non-applicant No.2 is permitted to withdraw the amount.
- iv) The amount be disbursed to her upon due verification and identification.

3. The application is disposed of.

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

Jayashree..