



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

**CRIMINAL APPLICATION (APL) NO. 1111 OF 2024**

Swapnil Milind Yerne And Others

Vs.

State of Maharashtra, Thr. PSO, Police Station- Adyal, District – Bhandara 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. Anirudh Ananthakrishnan, Advocate for the applicant  
Ms. Kirti Satpute, Advocate for the non-applicant no. 2.  
Ms. Swati Kolhe, APP for the non-applicant/State

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

**DATED : 22.12.2025**

1. The present application is preferred by the applicant, who is the husband, and the in-laws, for quashing of the First Information Report in connection with the Crime No. 127/2024 registered under Section 498-A of Indian Penal Code, 1860, and under Section 4 of Dowry Prohibition Act, 1861.

2. The crime is registered on the basis of a report lodged by the non-applicant no. 2 alleging that there was a love affair between her and the applicant no. 1, and thereafter they married each other. After marriage, she resumed cohabitation; however, she was not treated well and was subjected to continuous ill-treatment at the hands of the present applicants. Therefore, she was constrained to leave

the matrimonial house. On the basis of the said report, the police have registered the crime against the present applicants.

3. During the pendency of this application, the applicants and the non-applicant no. 2 arrived at a settlement, and they have decided to dissolve the marriage. Accordingly, they entered into settlement terms. As per the said settlement terms, they have decided to file an application for dissolution of marriage under Section 13-B of the Hindu Marriage Act, 1955. The parties are present before the Court. The applicant no. 1 and the non-applicant no. 2 are verified by us personally by verifying whether they are aware of the contents of the settlement terms or not. They both have agreed to and accepted the terms and conditions of the settlement.

4. The entire police machinery was set in motion on the filing of this complaint, and the trial Court as well as this Court have also spared time for the adjudication of this matter; therefore, the application deserves to be allowed, subject to costs.

5. Here we have to refer 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 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.”*

6. Considering that the dispute is of a matrimonial nature and the parties have already arrived at a settlement, the application deserves to be allowed. Accordingly, they have already obtained the decree of dissolution of marriage. Accordingly, we proceed to pass the following order:—

### **ORDER**

i) Application is allowed.

ii) The First Information Report in connection with Crime No. 127 of 2024 registered under Section 498-A of Indian Penal Code, 1860, and under Section 4 of the Dowry Prohibition Act, 1861 is hereby quashed. Subject to the cost of Rs. 25,000/- (Twenty Five Thousand Rupees) by the applicant no. 1 and 10,000/- (Ten Thousand Rupees) by the non-applicant no. 2. The applicant no. 1 shall pay the Cost of Rs. 25,000/- (Twenty Five Thousand Rupees) to the High Court Legal Services Sub-Committee, Nagpur Bench as well as the amount of Rs. 10,000/- be paid to the "Vidarbha Lady Lawyer Association".

iii) The order shall come into effect after compliance of payment of the cost.

iv) The compliance be reported to this Court.

v) The application is disposed of.

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