



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

CRIMINAL APPLICATION (APL) NO.852/2025

Jayramdas Murlidhar Sangatwani and Ors. .Vs. State of Maharashtra and anr.

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

Court's or Judge's orders

Mr. P. A. Kadu, Advocate for applicant.
Mrs. S. S. Jachak, A.P.P for non applicant-State.
Non applicant No.2 in person.

CORAM : ANIL L. PANSARE AND M. M. NERLIKAR, JJ.
DATE : AUGUST 25, 2025

Heard.

2. The application is filed with a prayer to quash and set aside charge-sheet filed against the applicants, being No.16/2025 and Regular Criminal Case No.74/2025, pending on the file of Judicial Magistrate First Class Court No.2, Achalpur for the offences punishable under Sections 323, 498-A, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

3. Applicants (Accused) and non applicant No.2 (informant), have settled the dispute and accordingly filed joint compromise pursis. The applicants have agreed to pay Rs.34,50,000/- to non applicant No.2 towards one time permanent alimony. The counsel for applicants submits that the amount is already paid. Non applicant No.2 is present before the Court and admits the receipt of amount. Non applicant No.2 has received Streedhan. The petition filed by non applicant No.2 under the provisions of the Hindu Marriage Act, 1955 is withdrawn so also the proceedings under the provisions of the Protection of Women From Domestic Violence Act, 2005. Counsel for the applicants submits that applicant No.3 and non applicant No.2 have decided to seek divorce by mutual consent. Non applicant No.2 accordingly given no objection for quashing the charge-sheet.

4. Applicants and non applicant No.2 are present before the Court. They are identified by their counsel. As such, counsel for non applicant no.2, who has signed the joint pursis, is not present. Therefore, counsel for applicants has identified non applicant No.2 as well. We have interacted with the parties and are satisfied that the parties have settled the dispute willingly.

5. In the circumstances and considering the nature of dispute which arises out of matrimonial relationship and further considering the subsequent development whereby the parties have decided to put to rest all the issues and to lead a peaceful life, we are of the view that continuation of the proceedings will yield no useful result, rather will cause further harassment to the parties and time of Court will be unnecessarily wasted. Thus, continuation of prosecution, according to us, is unjust. This is a fit case where inherent jurisdiction under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 should be invoked.

6. Accordingly, the application is allowed in terms of prayer clause (i), which reads thus:

“(i) Quash and set aside the Charge-Sheet no.16/2025 filed by the Police Station Paratwada, Tq. Achalpur, Dist: Amravati (Annex.II) registered as RCC No.74/2025 pending before learned J.M.F.C. Court no.2 Achalpur for the offence punishable under section 323, 34, 498A, 504, 506 of IPC, in the interest of justice.”

The application is disposed of.

(M. M. Nerlikar, J.)

(Anil L. Pansare, J.)