



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.859 OF 2025

APPLICANTS

- : 1) Vijay S/o Nivrutti Ghugare,
Aged about 57 years, Occ-Govt.
Service, R/o Ambika Nagar, Lakhala,
Tah. and Dist. Washim.
- 2) Gaurav S/o Vijay Ghugare,
Aged about 30 years, Occ- Small
business Service, R/o Zanzari Layout,
Lakhala Tah. and Dist. Washim.
- 3) Bhanudas S/o Nivrutti Ghugare,
Aged about 54 years, Occ- Teacher
Service, R/o Wagholi, Kokalgaon Tah.
and Dist. Washim.
- 4) Ramdas S/o Nivrutti Ghugare,
Aged about 61 years, Occ- Retired
Service, R/O Lakhala, Tq. And Dist.
Washim.

..VERSUS..

NON-APPLICANTS

- : 1) The State of Maharashtra, through its
police station officer, police station
Washim, Tah. and District. Washim.
- 2) X Y Z
Crime No.528/2025
Police Station Washim,
Tah. and District. Washim.

Mr R.S. Kurekar., Advocate for Applicants.
Ms Soniya Thakur, A.P.P. for the Non-applicant/State.
Mr. Rohan Malviya, Advocate for Non-applicant No.2.

CORAM : **ANIL S. KILOR AND**
MRS. VRUSHALI V. JOSHI, JJ.

DATE : **27/06/2025**

ORAL JUDGMENT : (Per : Anil S. Kilor, J.)

1. Heard.

2. **Rule.** The Rule is made returnable forthwith. Heard finally by consent of learned counsel for the respective parties.

3. This is an application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, made a prayer for quashing and setting aside First Information Report No.528 of 2025, dated 09.06.2025, registered with Police Station, Washim, for the offences punishable under Sections 115(2), 351(2), 351(3), 352 and 69 of the Bharatiya Nyaya Sanhita, 2023.

4. At the outset, the parties have made a statement that, they have settled the matter outside the Court and accordingly, a joint affidavit is filed on record by both the parties. The non-applicant No.2/complainant is personally present in the Court and she has been identified by her advocate. On interaction with her,

she confirms the fact of settlement and also filing of joint affidavit.

She states that she does not want to prosecute the applicants. Even if the allegations are seen in the FIR, it can be gathered that there was a consensual relationship between the applicant No.2 and the non-applicant No.1.

5. In the circumstances, on the ground of settlement as well as on the ground of merit, we are of the opinion that, the application needs to be allowed. Accordingly, we pass the following order:-

- i) The Criminal Application is **allowed**.
- ii) The First Information Report No.528 of 2025, dated 09.06.2025, registered with Police Station, Washim, for the offences punishable under Sections 115(2), 351(2), 351(3), 352 and 69 of the Bharatiya Nyaya Sanhita, 2023, is hereby quashed and set aside.

Rule is made absolute in above terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.) (ANIL S. KILOR, J.)