



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

CRIMINAL APPLICATION [APL] NO.1088 OF 2023

[Mugees Alam Abdul s/o Azim Khan and others .vs. The State of Maharashtra and one]

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

Court's or Judge's orders

Shri N.R. Raut, Advocate for Applicants.
Shri G.S. Umale, APP for Non-Applicant No.1/State.
Shri Sameer M. Khan, Advocate for Non-Applicant No.2.
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CORAM : ANIL S. KILOR AND
PRAVIN S. PATIL, JJ.

DATE : APRIL 28, 2025.

P.C.

1. By this application, the applicants are seeking to quash and set aside the First Information Report No.0149/2023 dated 13.02.2023 registered with Police Station Ramnagar, Chandrapur for the offence under Section 498-A r/w 34 of the Indian Penal Code and Sections 3 and 4 of the Muslim Women (Protection of Rights on Marriage) Act, 2019.

2. It is the case of the prosecution that the marriage between the applicant no.1 and non-applicant no.2 was solemnized on 11.11.2021 and after the marriage immediately the applicants ill-treated and harassed the non-applicant no.2. It is also alleged that there was physical assault on the non-applicant no.2 by the applicant no.1 on demand of dowry and two wheeler vehicle.

3. Today, the non-applicant no.2 is personally present in the Court and she has been identified by her Advocate. Furthermore, the applicants were also personally present in the Court and they have been identified by their Advocate. Both the learned counsels for applicants and non-applicant no.2 state that the matter has been settled between the parties and in view of the settlement, the non-applicant no.2 does not want to proceed with the present complaint. It is further pointed out that as per the settlement, she would also withdraw the proceeding filed under the Protection of Women from Domestic Violence Act, 2005.

4. The terms settlement are stated in the reply filed on record today and which is taken on record. On a specific query put to the non-applicant no.2 as regards the settlement, she confirmed the fact of settlement and states that she does not want to proceed with the present criminal complaint.

5. In that view of the matter, even if the chargesheet is permitted to file and the trial court is to be conducted after filing of the chargesheet, the exercise would be proved as futile.

6. In that view of the matter, we are of the opinion that in view of the judgment of the Hon'ble Supreme Court of India in the case of *Narinder Singh and others .vs. State of Punjab and another*, reported in (2014) 6 SCC 466, the settlement needs to be accepted and the prayers made in the present application need to be allowed.

7. Accordingly, the application is allowed in terms of prayer clause (b). Application stands disposed of accordingly.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

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