



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

CRIMINAL APPLICATION NO.1078/2025

Rakesh Marotrao Kamble .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

Mrs. R. S. Sirpurkar, Advocate for applicant.
Mr. S. S. Doifode, A.P.P. for non applicant no.1.
Mr. Y. Vyankatraman, Advocate for non applicant No.2.

CORAM : ANIL L. PANSARE AND M. M. NERLIKAR, JJ.
DATE : AUGUST 21, 2025

Heard.

2. Application is filed to quash and set aside the First Information Report, registered vide Crime No.91/2025, for an offence punishable under Section 85 of the Bhartiya Nyaya Sanhita, 2023. Counsel for the applicant and non applicant No.2 submit that the matter has been settled amicably. Both the parties have filed affidavits in support. Accordingly, a request is made to quash the First Information Report.

3. Applicant – husband and non applicant No.2 – wife are present before the Court. We have interacted with them. Both, applicant and non applicant No.2, have decided to put to rest the past and to lead life together. Thus, they have decided to continue cohabitation. We appreciate the decision.

4. Considering the nature of dispute and since the parties have decided to reside together and have resolved the dispute amicably and since non applicant No.2, is not willing to continue the prosecution, the continuation of proceedings will yield no useful result. Rather, it will unnecessarily put the parties to further harassment. In other words, continuation of investigation appears to us to be unjust. That being so, we are inclined to invoke the inherent jurisdiction.

5. Accordingly, the application is allowed in terms of prayer clause (1), which reads thus.

“(1) Allow this application and quash and set aside Crime No. 91/2025 dated 23.05.2025 (Annexure-I), registered at Police Station Gondpipari, Tq. Gondpipari, Dist. Chandrapur, for the offences under Section 85 of the Bhartiya Nyaya Sanhita (BNS), 2023 against the applicant.”

The application is disposed of.

(M. M. Nerlikar, J.)

(Anil L. Pansare, J.)

Kahale