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

CRIMINAL APPLICATION (APL) NO.1210 OF 2025

1. Shravan s/o Satish Mohta,
Age 37 Years, Occupation : Private,
2. Satish s/o Ghewarchand Mohta,
Age 71 Years, Occupation : Private,
3. Gunisha w/o Shravan Mohta,
Age 37 Years, Occupation : Homemaker,
All 1 to 3 R/o. Flat No.402,
Clark Manor, Clark Town,
Kadbi Chowk, Nagpur – 440012.

.... APPLICANTS

// VERSUS //

1. State of Maharashtra,
through Police Station Officer,
Police Station Sadar,
District Nagpur.
2. Anima Maroli Kollanandy,
Age 45 Years, Occupation : Private,
R/o. 50 Monks, Park Avenue,
Horfield, BS70UH, Bristol,
South West England
United Kingdom.

.... NON-APPLICANTS.

Mr. Anil Mardikar, Senior Counsel a/b Mr. A. C. Jaltare,
Counsel for the applicants.
Ms. N. R. Tripathi, APP for non-applicant No.1/State.
Mr. Anand S. Thotange, Counsel for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.
DATED : 12/09/2025

ORAL JUDGMENT : (PER : URMILA JOSHI-PHALKE, J.)

1. Heard.
2. **Admit.**

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3. Present application is preferred by the applicants for quashing of the First Information Report in connection with Crime No.422/2017 registered at Police Station, Sadar, Nagpur, District Nagpur for the offence punishable under Sections 354, 354-A, 498-A, 504 and 506 of the Indian Penal Code and registered as RCC No.1218/2019 pending before the learned 13th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Nagpur.

4. Learned APP waives notice for the State. Learned Counsel Mr. Anand S. Thotange, waives notice for non-applicant No.2.

5. Learned Counsel for the applicants submitted that out of a family dispute, the crime came to be registered on the basis of report lodged by the non-applicant No.2. Non-applicant No.2 is the sister-in-law of applicant No.1, applicant No.2 is the father-in-law and applicant No.3 is the wife of applicant No.1. As per her allegation, when she had been to Nagpur, she was subjected for the outraging of the modesty by the applicant No.1 as well as she was ill-treated by the present applicants. On the basis of the said report, police have registered the crime against the present applicants. He submitted that the complaint came to be lodged out of a family dispute. Now, the family members have settled the dispute and therefore, the applicants

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approached this Court for quashing of the proceedings. He also placed on record the consent terms. Non-applicant No.2 appeared through video conferencing and she is residing in U. K. The consent terms are verified from her and she agreed and accepted for the same. The applicants are also present before the Court. They also agreed and accepted the terms and conditions.

6. In view of the observation of the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab and another** reported in **MANU/SC/0781/2012** wherein the Hon'ble Apex Court observed that where High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim have 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. In this regard a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to victim but the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made

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compoundable. In **Naushey Ali Vs. State of U.P., reported in (2025) 4 SCC 78**, wherein also it is observed by the Hon'ble Apex Court that proceeding with the trial, when the parties have amicably resolved the dispute, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings.

7. In view of the above observations, in the present case, it is apparent that the crime is registered out of a family dispute which is amicably settled by the parties, in view of that, the application deserves to be allowed. Accordingly, we proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The First Information Report in connection with Crime No.422/2017 registered at Police Station, Sadar, Nagpur, District Nagpur for the offence punishable under Sections 354, 354-A, 498-A, 504 and 506 of the Indian Penal Code and charge sheet bearing RCC No.1218/2019 pending before the learned 13th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Nagpur, against the present applicants are hereby quashed.

The application is disposed of.

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