



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

CRIMINAL APPLICATION (APL) NO. 1227 OF 2025

(Akshay Pandharinath Kasture and others vs. State of Maharashtra through Police Station
MIDC, District – Nagpur and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. Mir Rizwan Ali Jafar Ali, Advocate for applicants.
Mr. Nikhil Joshi, APP for respondent No.1-State.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.

DATE : SEPTEMBER 17, 2025

1) Present application is preferred by the applicants for quashing of the FIR in connection with Crime No.646/2024 for the offence punishable under Sections 323, 498-A, 504 and 506 read with 34 of the Indian Penal Code, registered with Nagpur City Police Station, and the charge-sheet arising out of said crime bearing R.C.C. No.282/2024.

2) As per the contention of the applicants, though the crime came to be registered on the basis of report lodged by respondent No.2 Ankita Akshay Kasture, as there was some disputes on domestic reasons, but now both have settled their dispute and the respondent No.2 Ankita has already been resumed cohabitation with applicant No.1 Akshay, and therefore, they do not want to proceed with the present proceeding.

3) Applicant No.1 Akshay i.e. husband and respondent No.2 Ankita i.e. wife are present before this Court. Learned APP has also present before the Court. Learned counsels for the applicant No.1 as well as respondent No.2 have submitted that

the parties have already settled the dispute and in view of the consent terms, she has already joined the company of the applicant No.1. Applicants No.2 to 4 are the in-laws and close relatives of the applicant No.1. In view of the settlement, they prayed for quashing of the FIR, as well as charge-sheet.

4) The Hon'ble Apex Court in the case of ***Gian Singh v. State of Punjab, (2012) 10 SCC 303*** has observed that – *"where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has 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 a family dispute, where the wrong is basically to the victim but the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable. The High Court may, within the framework of its inherent power, quash the criminal proceeding or criminal complaint or FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated".*

5) In view of the above observations of the Hon'ble Apex Court, the parties have settled the dispute. The application deserves to be disposed of, as the dispute is of matrimonial in nature. In view of above, we proceed to pass the following order.

ORDER

- 1) The application is allowed.
- 2) The FIR in connection with Crime No.646/2024 for the offence punishable under Sections 323, 498-A, 504, 506 read with 34 of the Indian Penal Code, 1860 registered with Nagpur City Police Station, and the charge-sheet arising out of said crime bearing R.C.C. No.282/2024 are hereby quashed and set aside.
- 3) The application is disposed of in the above terms.
- 4) Parties to bear their own costs.

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

KOLHE