



Judgment

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

CRIMINAL APPLICATION (APL) NO.1520/2025

1. Nitin s/o Namdeorao Shingare,
aged about 35 years, occupation: private
job. (Husband).

2. Chhaya w/o Namdeorao Shingare,
aged about 60 years, occupation: housewife
(Mother-in-law).

Both r/o 11, Maa Bhagwati Nagar,
near Shesh Nagar Bus Stop,
Manewada, Nagpur.

3. Sau.Harsha w/o Roshan Wankhade,
aged about 36 years, occupation: housewife,
(Sister-in-law).

4. Roshan s/o Mahadeo Wankhade,
aged 35 years, occupation: service,
(Brother-in-law).

Both r/o Behind Jaripatka Police
Station, plot No.217, Hudco Colony,
Sant Lahanuji Nagar, Jaripatka,
Nagpur. Now, r/o Bhagwati Nagar,
Sheshnagar Bus Stop, Manewada,
Nagpur.

..... **Applicants.**

:: VERSUS ::

1. State of Maharashtra, through its Police Station Officer, Police Station Sarmaspura, taluka Achalpur, district Amravati.

2. Aditi w/o Nitin Shingare, (wife), aged about 32 years, occupation: private, r/o Raipura, taluka Achalpur, district Amravati. **Non-applicants.**

Shri A.K.Madane, Counsel for Applicants.
Mrs.Sneha Dhote, Addl.P.P. for NA No.1/State.

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

DATE : 23/12/2025

JUDGMENT (Per : Urmila Joshi-Phalke)

1. By this application under Section 482 of the CrPC, applicants are seeking quashing of FIR in connection with Crime No.232/2023 registered under Sections 498-A, 504, and 506 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.26/2025 pending before learned 3rd Joint CJJD and JMFC, Achalpur.

2. The crime is registered on the basis of a report lodged by non-applicant No.2 (the informant) on allegations that her

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marriage was performed with applicant No.1 on 11.2.2022. After the marriage, she resumed cohabitation at the house of the applicants. However, for some or the other reasons, she was ill-treated physically and mentally. She has specifically alleged that she was assaulted by all applicants and, therefore, she was constrained to leave the matrimonial house and she has lodged the report.

3. During pendency of the application, the parties have arrived at a settlement. As per the settlement terms, they have decided to obtain decree of dissolution of marriage. The Family Court has already passed the decree of dissolution of marriage. In view of that, the application deserves to be allowed.

4. The informant is present before this court. The contents of the settlement are verified from applicant No.1 and non-applicant No.2 and the same are accepted and agreed to them.

5. The nature of dispute is matrimonial in nature.

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6. The Hon'ble Apex Court in the case of **Gian Singh vs. State of Punjab and anr**, reported in **MANU/SC/0781/2012**, observed that, "*where High Court quashes a criminal proceeding having regard to the fact that dispute between the offender and victim has been settled although 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 family dispute, where the wrong is basically to victim and the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable.

7. In view of the observations above, in the present case also, differences between applicant No.1 and the informant is of

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matrimonial in nature. They have decided to settle the dispute and, therefore, the application deserves to be allowed. However, at the same time, considering, that the police machinery have spared their time for their investigation as well as during adjudication, the courts have also spared its time and, therefore, the application deserves to be allowed subject to costs. Accordingly, we proceed to pass following order:

ORDER

(1) The Criminal Application is **allowed**.

(2) FIR in connection with Crime No.232/2023 registered under Sections 498-A, 504, and 506 read with 34 of the IPC and consequent proceeding arising out of the same bearing chargesheet No.26/2025 pending before learned 3rd Joint CJJD and JMFC, Achalpur to the extent of applicants.

(3) The applicants shall deposit costs Rs.20,000/- with the Police Welfare Fund at Amravati.

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(4) The non-applicant No.2 shall deposit costs Rs.10,000/- with the Government Pleader's Library at Nagpur.

(5) The costs shall be deposited within a period of one week from today.

(6) This order will come into effect after compliance of the payment of the costs. The compliance be reported this court.

Application stands **disposed of**.

(NANDESH S.DESHPANDE, J.)

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!