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

CRIMINAL APPLICATION (APL) NO.1665 OF 2025

Yadvendra Bharatlal Tembhare,
Aged about 35 Years,
Occupation : Service,
R/o. Bokhara,
Koradi - 441111.

.... APPLICANT

// VERSUS //

1. The State of Maharashtra,
Through its Police Station Officer,
Police Station, Wathoda,
Tahsil and District Nagpur.
2. Pooja Subhas Yadav,
Aged about 31,
Occupation : Service,
R/o Plot No.9, Sainagar,
in front of Pragati Hall,
Wathoda - 440035.

.... NON-APPLICANTS

Mr. P. L. Sagdeo, Advocate for applicant.
Ms. Sneha Dhote, APP for non-applicant No.1/State.
Mr. Parth Navkarkar, Advocate h/f Mr. D. S. Wade, Advocate for
non-applicant No.2.

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

DATED : 18/11/2025

ORAL JUDGMENT : [Per : NANDESH S. DESHPANDE, J.]

1. Heard.
2. **Admit.** Heard finally with the consent of the parties.
3. According to the counsels appearing for the respective parties, the matter has been settled. By order dated 10.11.2025,

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we have directed the Registrar (Judicial) to verify the authenticity and identity of the parties. Accordingly, Registrar (Judicial) has submitted a report that the parties to the matter has verified the contents of the settlement as also the identity of the parties.

4. The First Information Report vide Crime No.0529/2025 in question was registered for the offence punishable under Sections 296, 115(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023. It is true that the offences punishable are non-compoundable in nature, however, as per the dictum made by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and another** reported in **(2012) 10 SCC 303** wherein the Hon'ble Apex Court 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. 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

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the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

5. In view of the dictum of the Hon'ble Supreme Court stated supra, and in view of the fact that the parties to the matter have already compromised, in our view, no fruitful purpose will be served in continuing a criminal proceeding as against the applicant. In our considered opinion, this would be fit case to exercise inherent jurisdiction under Section 482 of the Code of Criminal Procedure. In view of that, we proceed to pass following order:

ORDER

(i) The application is **allowed**.

(ii) The First Information Report bearing No.0529/2025 dated 04.10.2025 registered with Police Station Wathoda, District Nagpur for the offence punishable under Sections 296, 115(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 is quashed and set aside.

(iii) Parties to bear their own costs.

The application is disposed of accordingly.

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