



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

**CRIMINAL APPLICATION (APL) NO. 757 OF 2024**

1. **Salil s/o Sunil Gokhe**  
Aged about 30 years,  
Occupation : Private Job
2. **Sunil s/o Balram Gokhe**  
Aged about 63 years,  
Occupation: Retired
3. **Lata w/o Sunil Gokhe**  
Aged about 63 years,  
Occupation: Household
4. **Shreyal D/o Sunil Gokhe**  
Aged about 25 years,  
Occupation : Private Job,

All R/o In front of Jain Mandir,  
Navnit Colony, Binza Wada, Near  
Jain Mandir, Behind Shiv Mandir,  
Jabalpur Road, Seoni  
(Madhya Pradesh)

**APPLICANTS**

**// VERSUS //**

1. **The State of Maharashtra,**  
Through Police Station Officer,  
Police Station, Ajni, Nagpur  
Tahsil and District Nagpur
2. **Priya w/o Salil Gokhe**  
Aged about 26 years,  
Occupation : Household,  
R/o C/o. Santosh Koha,  
Plot No.86, Guruchaya, Vinkar  
Colony, Swaraj Nagar  
Manewada Road, Nagpur

**NON-APPLICANTS**

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Mr M. Hussain, Advocate for the applicants.  
Ms Sneha Dhote, APP for non-applicant Nos.1/State.  
Mr S.S. Sitani, Advocate for non-applicant No.2.  
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**CORAM : URMILA JOSHI PHALKE, J. AND**  
**NANDESH S. DESHPANDE, JJ.**  
**DATED : 30.09.2025**

**O R A L J U D G M E N T : (PER : URMILA JOSHI PHALKE, J.)**

1. Heard.
2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.
3. The present application is preferred by the applicants who are the husband, in-laws and sister-in-law of the informant for quashing and setting aside the First Information Report in connection with Crime No.0398/2023 registered at Police Station Ajni District Nagpur for the offences punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code (for short, 'I.P.C.') and under Section 3 of the Dowry Prohibition Act.
4. The crime is registered on the basis of the report lodged by the informant-non-applicant No.2 on an allegation that

her marriage is performed with applicant No.1. After marriage she resumed cohabitation, but she was not treated well and subjected for ill treatment. After completion of the investigation charge-sheet is filed bearing RCC No.3575/2023. During the pendency of this application, both the parties arrived at settlement and decree of dissolution of marriage is already passed. In the above background the applicants prayed for the FIR and consequent proceeding i.e. RCC No.3575/2023.

5. The parties are present before the Court applicant No.1-husband and applicant No.2 father-in-law are present and non-applicant No.2 is also present before the Court. They have accepted and agreed the terms and contents of the settlement. The copy of decree passed by the Family Court, Nagpur regarding dissolution of marriage is also on record.

6. In view of above settlement and in view of the observations of Hon'ble Apex Court in the case of ***Gian Singh Vs. State of Punjab, (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 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. It is further held that in this regard 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 the victim but offender and victim have settled all disputes between them amicably, irrespective of fact that such offences have not been made compoundable

7. Non-applicant No.2 is also represented by the counsel who agreed and accepted by the terms and conditions of the said settlement. Both the parties are personally verified and they have agreed and accepted the contents of the settlement.

8. However, considering that the police machinery was set in motion and they have to spend their valuable time to investigate the matter, the application deserves to be allowed subject to costs.

9. In view of that we proceed to pass following the order:-

**ORDER**

(i) The Criminal Application is allowed.

(ii) First Information Report in connection with Crime No.398/2023 and consequent proceeding arising out of the same bearing RCC No. 3575/2023 registered at Police Station Ajni District Nagpur for the offences punishable under Sections 498-A, 323, 504, 506 and 34 of the Indian Penal Code (for short, 'I.P.C.') and under Section 3 of the Dowry Prohibition Act be quashed and set aside subject to cost of Rs.20,000/- (Rupees Twenty Thousand Only) by applicants and Rs.10,000/- (Rupees Ten Thousand Only) by non-applicant No.2.

(iii) The cost be paid to High Court Legal Services Sub Committee, Nagpur.

10. The criminal application stands disposed of.  
Pending application, if any, also stands disposed of.

[NANDESH S. DESHPANDE, J]      [ URMILA JOSHI PHALKE, J.)