



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

CRIMINAL APPLICATION (APL) No.998 OF 2025

(Deveshkumar s/o. Shivkumar Sahu and another Vs. State of Maharashtra, through PSO,
PS Teosa, Distt. Amravti and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Mahesh Rai, Advocate for applicants.

Mr. A.G. Mate, APP for non-applicant No.1.

Mr. P.N. Sharma h/f. Mr. Rohit Rathi, Advocate for non-applicant No.2.

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

DATE : 15th DECEMBER, 2025.

1. Present application is preferred by the husband and mother in law for quashing of the First Information Report in connection with Crime No.18/2022, registered under Sections 498A, 504, 506 read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing R.C.C. No.226/2022.

2. The crime is registered on the basis of a report lodged by the informant on an allegations that her marriage was performed with applicant No.1. After marriage she resumed the co-habitation, but she was not treated well and for various reasons she was subjected for ill-treatment and, therefore, she constrained to leave the matrimonial house. On the basis of the said report Police have registered the crime against the present applicants.

3. During the pendency of this application both the parties arrived at settlement. It was decided to obtain decree of

dissolution of marriage. Accordingly, the decree of dissolution of marriage is already passed on 28.1.2023. The applicant No.1 is the present before the Court and applicant No.2 appears through video conferencing. The contents of the settlement and the affidavit are verified by the Registrar (Judicial). They are also present before the Court.

4. In view of the observations 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 is observed that "Where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and 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 the offences arising out of matrimony, particularly relating to dowry, etc. or the 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."

5. In view of the observations and considering the nature of the dispute which is of matrimonial in nature, they have already obtained the decree of dissolution of marriage, the application deserves to be allowed.

6. At the same time, the Investigating Agency has spent their time for the investigation purpose and the Court has also

spent their time to deal with the application, the application deserves to be allowed, subject to costs.

7. In view of that the applicants and non-applicant No.2 shall pay costs of Rs.10,000/- each.

8. In view of that, we proceed to pass following order :

ORDER

(i) The application is allowed.

(ii) The First Information Report in connection with Crime No.18/2022, registered under Sections 498A, 504, 506 read with Section 34 of the Indian Penal Code is hereby quashed as well as the consequent proceeding arising out of the same bearing R.C.C. No.226/2022 is also hereby quashed and set aside to the extent of applicants, namely, (1) Deveshkumar s/o. Shivkumar Sahu and (2) Tulsa w/o. Shivkumar Sahu, subject to costs of Rs.10,000/- by the applicants and Rs.10,000/- by the non-applicant No.2

(iii) The applicants shall pay amount of costs of Rs.10,000/- to the Library of the Office of the Government Pleader, High Court, Nagpur and non-applicant No.2 shall pay costs of Rs.10,000/- to the Vidarbha Lady Lawyers Association, High Court, Nagpur.

(iv) The application is disposed of in the abovesaid terms.

(v) The order come into effect after payment of costs.

(Nandesh S. Deshpande, J.)

(Urmila Joshi-Phalke, J.)