



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

CRIMINAL APPLICATION (APL) NO. 1089 OF 2025

Swapnil S/o. Liladhar Golait & Ors.

Vs.

The State of Maharashtra, through PSO, PS Khaparkheda, Nagpur & Anr.

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

Court's or Judge's orders.

Mr. Mayukh M. Awode, Counsel for the Applicants.
Ms. S.S. Jachak, APP for Non-applicant No.1.
Mr. N.B. Karade, Counsel for Non-applicant No.2.

CORAM : ANIL L. PANSARE AND M.M. NERLIKAR, JJ.
DATE : 7th AUGUST, 2025.

Heard.

2. The present application is filed by the applicants for quashing the First Information Report No.277/2024 dated 24/05/2024, registered with Khaparkheda Police Station, District Nagpur (Rural) for the offences punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, as also the Charge Sheet No.178/2024 filed before the Judicial Magistrate First Class, Saoner, on account of settlement arrived between the parties. The said first information report is lodged by the non-applicant No.2 against her husband and in-laws.

3. The learned counsel for the applicants submits that the matter has been amicably settled in terms of compromise. An affidavit to that effect has been tendered across the bar. The same is taken on record.

4. The applicants and non-applicant No.2 are personally present in the Court. They are identified by their respective counsel. On query, the non-applicant No.2 states that she is not willing to prosecute the present matter and has no objection for quashing of the first information report.

5. Thus the parties have decided to settle the dispute and to lead peaceful life. That being so, and considering the nature of dispute and subsequent developments, continuation of proceedings will yield no useful result, rather it would amount to an abuse of the process of law.

6. The Hon'ble Supreme Court in the case of ***Madhukar and others Vs. State of Maharashtra and anr. (2025 SCC Online SC 1415)***, while quashing offence punishable under Section 376 of the Indian Penal Code on the basis of compromise made between the parties held that, though the offence is grave and heinous, and quashing of such offence is discouraged, the power of Section 482 of the Code of Criminal Procedure to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case.

7. In the light of above, though the offence punishable under Section 498-A of IPC is non-compoundable, since the continuation of proceeding remains a futile exercise, we find this case fit for invoking jurisdiction under Section 482 of the Code of Criminal Procedure. Hence, following order:

(i) Criminal Application is allowed in terms of prayer clause (a) which reads thus:-

“(a) Quash the impugned FIR no. 277/2024 dated 24/05/2024 and further quash the impugned Chargesheet no. 178/2024 dated 09/12/2024 against the applicants u/ss. 498A, 323, 504, 506 and 34 of the Indian Penal Code, 1860 at Police Station Khaparkheda, Dist. Nagpur (rural) and further quash and set aside the Regular Criminal Case (R.C.C.) no. 385/2024 pending before the 2nd Joint Civil Judge Junior Division and Judicial Magistrate First Class, Saoner against the applicants.”

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)

Vijaykumar