



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

CRIMINAL APPLICATION (APL) No.1221 OF 2025

(Anurag s/o.Bhagwan Sayam Vs. State of Maharashtra, through PSO, PS Ambajhari,
Nagpur 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. S.G.Karmarkar, Advocate for applicant.
Smt. Sneha Dhote, APP for non-applicant No.1.
Mr. Vaishnav Ingole, Advocate for non-applicant No.2.

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

DATE : **17th SEPTEMBER, 2025.**

1. This application is preferred by the applicant for quashing of First Information Report in connection with Crime No.416/2025, registered under Sections 118(1) of the Bharatiya Nyaya Sanhita, 2023. The crime is registered on the basis of a report lodged by non-applicant No.2 on an allegations that on 9.8.2025 during the procession on account of Adiwasi Din there was altercation between the present applicant him and present applicant has assaulted him. On the basis of said report Police have registered the crime against the present applicant.

2. Heard learned counsel for the applicant, who submitted that during the pendency of the application the dispute between the present applicant and the informant is settled. The settlement terms are filed on record. The applicant appeared through video conferencing whereas informant is present before the Court physically. The terms of

settlement are affirmed from them and they have agreed and accepted the terms and contents of the settlement. It is contended by the informant that now in view of the settlement he do not want to proceed with the criminal case and, therefore, he has no objection to quash the proceeding.

3. Learned Additional Public Prosecutor for the non-applicant No.1 though strongly opposed the said application but submitted that the offence is not compoundable one and, therefore, prays for rejection of the application.

4. After hearing both sides and on perusal of the recitals of the F.I.R. it reveals that during the altercation in between them the assault was made as per the allegations. Now, both the parties have already settled the dispute. 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 2012(10) SCC 303, wherein the Hon'ble Apex Court 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 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, the High Court*

may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or F.I.R if it is satisfied that on the face of such settlement, there is hardly any likelihood of offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.”

5. In view of the observations, the facts of the present case are covered by the observations of the Hon’ble Apex Court.

6. The informant has lodged the report and thereafter entire machinery was set in motion. They have spent their valuable time during the investigation. In view of that the application deserves to be allowed. Accordingly, we proceed to pass following order :

ORDER

(i) The application is allowed.

(ii) The F.I.R. in connection with Crime No.416/2025, registered under Sections 118(1) of the Bharatiya Nyaya Sanhita, 2023 is hereby quashed, subject to payment of costs of Rs.20,000/- by the applicant and Rs.20,000/- by the informant. The costs be paid to the Library of the Office of the Government Pleader, High Court, Nagpur within two weeks.

(iii) The application is disposed of.

(Nandesh S. Deshpande, J.)

(Urmila Joshi-Phalke, J.)