



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

CRIMINAL APPLICATION (APL) No.1341 OF 2025

(Akshay s/o. Ramprasadji Khandelwal Vs. State of Maharashtra, through PSO, Wani Police Station, District Yavatmal and another)

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

Court's or Judge's orders.

Ms. Tejal Anil Agre, Advocate for applicant.
Ms. Shamsi Haider, APP for non-applicant No.1.
Ms. Jayant Mokadam, Advocate for non-applicant No.2.

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

DATE : 08th OCTOBER, 2025.

1. Present application is preferred by the applicant for quashing of First Information Report in connection with Crime No.206/2013 registered under Sections 408, 420, 467, 468 and 471 of the Indian Penal Code.

2. The crime is registered on the basis of a report lodged by non-applicant No.2/informant on an allegation that he got acquaintance with the present applicant and during communication present applicant promised him that if he is having any work in W.C.L. he will help him. He received the work of Coalfield and against the same the present applicant has obtained him amount of Rs.14,00,000/- by way of cheque. It is further alleged that he was cheated by the present applicant by obtaining money from him. On the basis of the said report Police have registered the crime against the present applicant.

3. During the pendency of this application both parties

have settled their dispute amicably and joint affidavit is filed contending that they have amicably resolved their all disputes in a healthy and happy atmosphere. In view of this, the non-applicant No.2 has decided to withdraw the complaint and both applicant and non-applicant No.2 have further decided to live peaceful life without there being any interference with each other.

4. Both are present before the Court. They have agreed and accepted the terms and conditions of the settlement. The settlement terms are also verified from them and they submitted that due to the amicable settlement they don't want to proceed with the further proceeding.

5. In view of the decision 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 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.*"

6. 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.

7. In the light of the above circumstances and facts the dispute between the parties herein is private in nature. They have already amicably settled the dispute and no prejudice would be caused to the State exchequer.

8. 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 First Information Report in connection with Crime No.206/2023 registered under Sections 408, 420, 467, 468 and 471 of the Indian Penal Code is hereby quashed and consequent proceeding bearing Charge-sheet No.71/2014 is also quashed.

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

(Nandesh S. Deshpande, J.)

(Urmila Joshi-Phalke, J.)