



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

**CRIMINAL APPLICATION (APL) No.1587 OF 2025**

(Vinod s/o. Udaramji Gotmare and others Vs. State of Maharashtra, through PSO, PS  
Mankarpur, Distt. 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 applicants.  
Mr. A.J. Gohokar APP for non-applicant No.1.

**CORAM : URMILA JOSHI-PHALKE AND**  
**NANDESH S. DESHPANDE, JJ.**  
**DATE : 26<sup>th</sup> NOVEMBER, 2025.**

1. Present application is preferred by the applicants for quashing of the First information Report in connection with Crime No.228/2022, registered under Section 498A read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing Regular Criminal Case No.4957/2022 pending on the file of 7<sup>th</sup> Joint Civil Judge, Junior Division and Judicial Magistrate, First Class, Nagpur.

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 physically as well as mentally.

3. During the pendency of this application both parties arrived at a settlement and affidavit is filed by the applicants as well as non-applicant No.2 stating that in view of the settlement it was agreed that they will obtain a decree of

dissolution of marriage by mutual consent and by way of a settlement as a permanent alimony the applicant No.1 will pay the amount of Rs.11,00,000/-. Now, the decree of dissolution of marriage is already passed and the amount is also received by the non-applicant No.2. In view of that, they pray for the quashing of the First Information Report.

4. The parties are present before the Court, they are identified by their respective counsels. The contents of the affidavit are verified from the applicants as well as non-applicant No.2. They have read and accepted the terms of settlement. The amount is already received by the non-applicant No.2.

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 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.

6. The matter is of matrimonial in nature and both parties have settled the dispute. The application deserves to be allowed. However, considering the entire Police machinery as

well as the Court working hours are exhausted to deal with the matter, therefore, the application deserves to be allowed.

7. 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.228/2022, registered under Section 498A read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing Regular Criminal Case No.4957/2022 pending on the file of 7<sup>th</sup> Joint Civil Judge, Junior Division and Judicial Magistrate, First Class, Nagpur is hereby quashed and set aside, subject to costs of Rs.20,000/- by the applicants and Rs.20,000/- by the non-applicant No.2.

(iii) The applicants to amount of Rs.20,000/- with the High Court Bar Association, Nagpur and the non-applicant No.2 to pay amount of Rs.20,000/- with the Vidarbha Lady Lawyers Association, Nagpur and the order will come into effect after costs is paid.

(iv) The application is disposed of.

**(Nandesh S. Deshpande, J.)**

**(Urmila Joshi-Phalke, J.)**