



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

**CRIMINAL APPLICATION (APL) NO. 1783 OF 2025**

( Pratik S/o Pramod Rathod

**Vs.**

State of Maharashtra, Thr. Police Station Officer Darwha, District  
Yavatmal & Anr. )

**WITH**

**CRIMINAL APPLICATION (APL) NO. 165 OF 2024**

( Pramod S/o Rahusing Rathod & Ors.

**Vs.**

State of Maharashtra, Thr. Police Station Officer Darwha, District  
Yavatmal & Anr. )

|                                                                                                                    |                           |
|--------------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda<br>of Coram, Appearances, Court's<br>orders or directions and<br>Registrar's orders | Court's or Judge's orders |
|--------------------------------------------------------------------------------------------------------------------|---------------------------|

Ms. Sejal Bhandwalkar, Adv. h/f Mr. D.S. Kanwale, Advocate for the Applicants.  
Mr. M.J. Khan, APP for the Non-applicant No.1/State.

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

**DATED : 3<sup>rd</sup> DECEMBER, 2025**

1. Both the Applications are preferred by the husband and the nearest relatives of the husband for quashing of the FIR in connection with Crime No.964/2023 registered with Police Station, Darwha, District Yavatmal under Sections 3, 4 of the Dowry Prohibition Act and under Sections 498-A, 506 read with Section 34 of the Indian Penal Code.

2. The FIR is lodged on the basis of a report lodged by the Non-applicant No.2 on an allegation that her marriage was performed with the Applicant Pratik and after marriage

she resumed cohabitation but there was discord between them and she was illtreated for various reasons. On the basis of the said report Police have registered the crime against the present Applicant/s.

3. During the pendency of these Applications, both the parties arrived at a settlement and the settlement terms are placed on record. The settlement terms are verified from the Applicant/husband and Non-applicant No.2. They have agreed and accepted the terms and conditions of the settlement and it was decided to obtain the decree of dissolution of marriage by mutual consent.

4. At this stage, the observations of the Hon'ble Apex Court in the case of ***Gian Singh Vs. State of Punjab, reported in (2012) 10 SCC 303***, wherein the Court observed that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the 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 offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, where the wrong is basically to the victim but the offender and the 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 FIR if it is satisfied that on the face of such settlement, there is hardly any likelihood of the 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 above observations and considering that the criminal law is set in motion on the basis of the report lodged, the entire Police machinery have spared their time for the investigation of the said crime as well as the Court has also spared the time, therefore the Application deserves to be allowed subject to the cost. In view of that, we proceed to pass the following order.

### **ORDER**

- i. The Applications are **allowed**.
- ii. The First Information Report bearing Crime No. 964/2023 registered with Police Station, Darwha, District Yavatmal under Sections 3, 4 of the Dowry Prohibition Act and under Sections 498-A, 506 read with Section 34 of the Indian Penal Code, is hereby quashed and set aside to the extent of Applicant/s in Criminal Application (APL) Nos.1783/2025 & 165/2024 subject to the cost of Rs.20,000/- by the Applicant/s to be paid to the High Court Gazetted Officers Association, Nagpur and Rs.10,000/- by the Non-applicant No.2 to be paid to the Government Pleaders Library, Nagpur.
- iii. The order will come into effect after payment of costs.

6. Pending application/s, if any, shall stand disposed of accordingly.

(NANDESH S. DESHPANDE, J.) (URMILA JOSHI-PHALKE, J.)

*SD. Bhimte*