



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

CRIMINAL APPLICATION (APL) No.1809 OF 2025

(Roshan Ramesh Mowade and another Vs. State of Maharashtra, through PSO, PS Wadi,
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. R.G. Sahu, Advocate for applicants.
Mr. A.J. Gohokar, APP for non-applicant.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.
DATE : 20th NOVEMBER, 2025.

1. Present application is for quashing of the First Information Report in connection with Crime No.683/2025, registered under Sections 118(1), 3(5) of the Bharatiya Nyaya Sanhita 2023.

2. The crime is registered on the basis of a report lodged by the non-applicant No.2 on an allegations that on 15.10.2025 during the altercation of the words he was assaulted by the present applicants and he has sustained injuries. On the basis of the said report Police have registered the crime.

3. During the pendency of this application both parties arrived at settlement and they have decided to settle the dispute. Both parties are present before the Court. The contentions raised is verified from them. They have agreed and accepted that they have settled the dispute. 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**, is relevant herein, 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, 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 the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

4. On verification of the parties and the recitals of the First Information Report shows that for a trifle reasons the quarrel took place and during the altercation the applicants have assaulted the informant. Now, the matter is already settled between the parties. In view of that, continuation of proceeding would be the futile exercise, hence, the application deserves to be allowed.

5. Accordingly, we proceed to pass following order :

ORDER

(i) The application is allowed.

(ii) The First Information Report in connection with Crime No.683/2025, registered under Sections 118(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023 is hereby quashed and set aside.

(iii) The application is disposed of.

(Nandesh S. Deshpande, J.)

(Urmila Joshi-Phalke, J.)

Wadode