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

CRIMINAL APPLICATION (APL) NO. 1880 OF 2025
(Rafique Bawani Abdul Karim Bawani & Ors. V/s State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. T. U. Tathod, Advocate for Applicants.
Mr. N. G. Tikar, Advocate for Respondent No.2.
Mr. A. J. Gohokar, APP for Respondent No.1.

**CORAM : URMILA JOSHI-PHALKE AND
PRAVIN S. PATIL, JJ.**
DATE : DECEMBER 04, 2025

. Heard.

2. The present Application is filed by the Applicants for quashing of the First Information Report under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023.

3. The Applicant No.1 is the husband and Applicant Nos. 2 to 7 are the relatives of the husband of Non-applicant No.2. They are arraigned as an accused in connection with Crime No. 237/2017 registered under Sections 498-A read with Section 34 of Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act. The crime is registered on the basis of report lodged by the Informant on an allegation that her marriage was performed with the Applicant No.1 on 17/1/2016. After marriage she resumed the

cohabitation, but she was not treated properly by all the Applicants.

4. On the basis of said report, police have registered the crime and thereafter the Applicants approached to this Court for quashing of the First Information Report.

5. During the pendency of this Application, the Applicants and the Non-applicant No.2 arrived at a settlement. A joint pursis to that effect is filed on record and affidavits are also filed on record by the parties. The parties are referred before the Registrar (Judicial) for verifying genuineness of the contents of the settlement and identification of the parties. The report of the Registrar (Judicial) is before the Court, who has verified the genuineness of the contents of the settlement as well as the identification of the parties and submitted his report.

6. In view of the settlement between the parties and in view of observation of the Hon'ble Apex Court in the case of ***Gyan Singh V/s State of Punjab and Anr. (2012) 10 Supreme Court Cases 303***, 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 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, the present Application deserves to be allowed. Accordingly, we proceed to pass following order.

ORDER

- (a) Criminal Application is allowed.
- (b) The First Information Report in connection with the Crime No. 237/2017 registered under Sections 498-A read with Section 34 of Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act and the consequent proceeding bearing Regular Criminal Case No. 187/2018 are hereby quashed and set aside to the extent of the present Applicants.
- (c) The Criminal Application is disposed of in abovesaid terms.

[PRAVIN S. PATIL, J.]

[URMILA JOSHI-PHALKE]

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