



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

CRIMINAL APPLICATION (APL) NO. 1938 OF 2025

(Sudhakar S/o Rushi Mehar

Vs.

State of Maharashtra, Thr. Police Station Officer Wathoda Police
Station, Nagpur & 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. A.G. Hunge, Advocate for the Applicant.
Mr. N.H. Joshi, APP for the Non-applicant No.1/State.
Mr. V.B. Gawali, Advocate for the Non-applicant No.2.

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

DATED : 17th DECEMBER, 2025

1. The present Application is preferred by the Applicant for quashing of the FIR in connection with Crime No.542/2025 registered with Police Station, Wathoda, Nagpur under Sections 64, 64(2)(m), 351(2) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by the Informant/Non-applicant No.2 on an allegation that she got acquaintance with the present Applicant and on 16.06.2021 when she was alone in the house the Applicant came to her house and asked for sexual favours and he again took her at various places and subjected her for sexual assault. He has also obtained her obscene photographs and

threatened her that he would make the said photographs viral.

3. During the pendency of this Application, both the Applicant and Non-applicant No.2 arrived at a compromise and the joint affidavit is filed stating that now the grievance between them are settled and the Non-applicant No.2 has received a compensation, and therefore, she do not want to proceed with the criminal complaint and on that count, both the parties submitted that the FIR in connection with the above said crime deserves to be quashed and set aside.

4. We have personally verified the contents of the joint affidavit from the Applicant as well as from Non-applicant No.2. The Non-applicant No.2 has accepted and agreed the terms and contents mentioned in the affidavit and submitted that now she do not want to proceed with the said criminal complaint.

5. On perusal of the entire FIR and the record it reveals that the relationship between the Applicant and Non-applicant No.2 is of a consensual in nature. There was a dispute between them as tenant and landlord. The rent agreement is also placed on record which also shows that the Non-applicant No.2 has obtained the rented premises from the present Applicant and on that count also there was dispute between them. The said rent agreement was subsequently cancelled and that may be the reason for lodging the FIR. Moreover there are previous complaints filed against each other. The crime No. 669/2025 was registered

on the basis of the report lodged by the present Applicant and the Applicant has also lodged NC report previously. Thus, *prima facie* it is apparent that due to the dispute between the present Applicant and the Non-applicant No.2 on account of the rented premises as well as the allegation regarding the sexual assault in the FIR appears to be there out of that dispute between them. As far as the incident regarding the sexual assault in the Hotel is concerned, which is not substantiated by any material to show that the Non-applicant No.2 at any time visited the said Hotel alongwith the present Applicant.

6. 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.

7. In view of the above observations, the Application deserves to be allowed. Accordingly, we proceed to pass the following order.

ORDER

i. The Application is **allowed**.

ii. The First Information Report bearing Crime No. 542/2025 registered with Police Station, Wathoda, Nagpur under Sections 64, 64(2)(m), 351(2) of the Bhartiya Nyaya Sanhita, 2023 is hereby quashed and set aside to the extent of present Applicant.

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

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