



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

CRIMINAL APPLICATION (APL) NO. 1986 OF 2025

(Pradip s/o Madhukar Nandanwar

Vs.

State of Maharashtra, Thr. Police Station Officer, Police Station
Brahmhapuri, District Chandrapur & 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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Ms. S.H. Bhagat, Advocate h/f Mr. P.R. Agrawal, Advocate for the Applicant.
Ms. Swati V. Kolhe, APP for the Non-applicant No.1/State.
Mr. A.S. Ambatkar, 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.491/2025 registered with Police Station, Bramhapuri, District Chandrapur under Sections 74 and 75(1)(i) of the Bhartiya Nyaya Sanhita, 2023.

2. The Applicant is the Teacher by profession. The crime is registered against him on the basis of the report lodged by the Informant/Non-applicant No.2 on an allegation that on 08.10.2025 at about 05.30 p.m., she was called by the present Applicant and he has inappropriately physically touched her and outraged her modesty. On the basis of the said report, Police have registered the crime against the

present Applicant.

3. During the pendency of this Application, both the parties arrived at a settlement and the affidavit is filed by the Non-applicant No.2 contending that, the FIR came to be lodged by her due to misunderstanding between the Applicant and the Non-applicant No.2 and now both the families hold meeting and they have apologized each other. The FIR came to be lodged as the Informant has took the incident out of misunderstanding. Now, there is no such misunderstanding between them. The Non-applicant No.2 and the Applicant have filed a statement before the Enquiry Committee on 17.10.2025. Similarly, they have decided to resolve their dispute and accordingly the affidavit in the nature of the settlement is filed by them. In view of that, the FIR deserves to be quashed.

4. After hearing both the sides and on verifying the contents of the affidavit from the Non-applicant No.2 as well as the Applicant there is a substance in the contention that the FIR came to be lodged out of misunderstanding. In view of that, the Application deserves to be allowed.

5. 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.

6. In view of the observations of the Hon'ble Apex Court and considering the statement made by the Non-applicant No.2 that the FIR came to be lodged out of misunderstanding, 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. 491/2025 registered with Police Station, Bramhapuri, District Chandrapur under Sections 74 and 75(1)(i) of the Bhartiya Nyaya Sanhita, 2023 and the consequent proceeding arising out of the same bearing R.C.C. No.298/2025, are hereby quashed and set aside to the extent of present Applicant.

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

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