



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL)NO. 2060/2025

1. Satish S/o Dattaraya Dhomne,
Aged about 47 years, Occ- Business,
R/o. Plot No. 13, Mani Layout, Gopal
Nagar, Pratap Nagar, Nagpur

... **APPLICANT**

...VERSUS...

1. State Of Maharashtra,
Through Police Station Officer,
Police Station, Ranapratap Nagar,
Nagpur.
2. Pranali W/o Satish Dhomne,
Aged about 32 years, Occ- Household,
R/o. Plot No. 13, Mani Layout,
Gopal Nagar, Pratap Nagar, Nagpur

... **NON-APPLICANTS**

CRIMINAL APPLICATION (APL)NO. 2061/2025

1. Satish S/o Dattaraya Dhomne,
Aged about 47 years, Occ- Business,
R/o. Plot No. 13, Mani Layout, Gopal
Nagar, Pratap Nagar, Nagpur
2. Urmila W/o Dattaray Dhomne,
Aged about 69 years, Occ- Household,
R/o. Plot No. 13, Mani Layout, Gopal
Nagar, Pratap Nagar, Nagpur

3. Syamrao S/o Namdeorao Amarkar,
Aged about 59 years, Occ- Service,
R/o. Police Nagar, Nagpur City,
M.I.D.C. Nagpur
4. Rajni W/o Shyamrao Amarkar,
Aged about 48 years, Occ- Household,
R/o. Police Nagar, Nagpur City,
M.I.D.C. Nagpur

... APPLICANTS

...VERSUS...

1. State Of Maharashtra,
Through Police Station Officer,
Police Station, Ranapratap Nagar,
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2. Pranali W/o Satish Dhomne,
Aged about 32 years, Occ- Household,
R/o. Plot No. 13, Mani Layout,
Gopal Nagar, Pratap Nagar, Nagpur

... NON-APPLICANTS

Ms. Grishma Paunekar, Advocate for applicants
Mr. Ritik Khobragade, Advocate for non-applicant no.2.
Mr. M. J. Khan, APP for non-applicant/State

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

DATED : 24.12.2025

JUDGMENT (PER : URMILA JOSHI-PHALKE, J.)

Heard. **Admit.** Heard finally with the consent of the learned counsel for the respective parties.

2. Shri. Ritik Khobragade, causes appearance and states that he has instructions to appear on behalf of non-applicant no. 2 and he is already equipped with the Vakalatnama. The counsel is directed to file the Vakalatnama during the course of the day. With the consent of the learned Counsels for the parties, the matter is taken up for final disposal forthwith.

3. Criminal Application (APL) No. 2060/2025 is for quashing the First Information Report bearing Crime No. 374 of 2023 culminating into regular Regular Criminal Case No. 3555/2024 pending before the 5th Jt. Civil Judge Junior Division and J.M.F.C., Nagpur for the offence punishable under Section 307 of the Indian Penal Code, 1860. As per the averments made in the First Information Report, the applicant is the husband of the non-applicant no. 2/ first informant; Marriage between the parties having solemnized on 16.12.2011. It is further alleged that on

01.08.2023 dispute arose between the parties due to a misunderstanding in the matrimonial bond.

4. Criminal Application (APL) No. 2061 of 2025 is also between the same parties for the offence punishable under Sections 498- A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860. The applicant no. 1 in Criminal Application (APL) No. 2061 of 2025 is the husband who happens to be applicant in Criminal Application (APL) No. 2060 of 2025, while rest of the applicants in Criminal Application (APL) No. 2061 of 2025 are the in-laws of the non-applicant no. 2. / first informant.

5. As far as Criminal Application (APL) No. 2060 of 2025 is concerned as already stated above the offence punishable under Section 307 of Indian Penal Code, 1860. The First Information Report alleges that 30th of July 2023 at about 5.30 p.m., the applicant tried to strangle the non-applicant no. 2 resulting in lodging the First Information Report in question. However, during the pendency of the application, settlement was arrived at between the parties. We have also verified the terms of said joint settlement

from the applicant and the non-applicant no. 2. The applicant is present physically while the non-applicant no. 2 is present by video conferencing. We have also perused the medical report filed on record which shows multiple abrasions over chest. Admittedly, the applicant and non-applicant no. 2 are husband and wife and accept that the parties have settled the matter. Offence under Section 307 of the Indian Penal Code is non-compoundable, however the same would not deter us from exercising jurisdiction under Section 482 of Criminal Procedure Code, 1973, in view of the settlement between parties as offence under Section 307 of Indian Penal Code is not made out on the basis of material on record and more particularly the medical report.

6. Beneficial reference in this regard can be made to the judgment of Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab, reported in (2012) 10 SCC 303***, wherein the Hon'ble Apex Court has held that High Court can exercise its power under Section 482 of Criminal Procedure Code, 1973 in order to secure the ends of justice and to prevent the abuse of the process of Court. In the present matter as stated supra the parties being husband and wife

have settled the matter and it can't be said that this is a crime against society. The matter was primarily private in nature and since then wisdom has been dawn upon the parties and therefore it would be fit to exercise inherent jurisdiction as contemplated under Section 482 Criminal Procedure Code, 1973.

7. As far as Criminal Application (APL) No. 2061 of 2025 is concerned, in the said matter also the parties have entered into settlement which we have verified from the parties i.e. applicant no. 1 and the non-applicant no. 2. It can also be seen that the applicant has paid an amount of Rs. 75,00,000/- (Seventy Five Lakh Rupees) to the non-applicant no. 2 as full and final settlement. Thus, it would be appropriate to quash both the First Information Reports and the consequent charge sheet to bring a full and final quietus to the disputes pending between the parties inter-se.

8. However, the report on the behest of the non-applicant no. 2 and the applicant that the wheels of machinery of criminal investigation started rotating. Even though quietus has been entered into between the parties the entire investigating machinery

was put at work at the behest of the parties. We therefore think it fit to impose cost of Rs. 25,000/- (twenty five thousand rupees) on the applicants as also Rs. 10,000/- (Ten Thousand Rupees) on the non-applicant no. 2. We therefore pass the following order:-

ORDER

i) Criminal Application (APL) No. 2060 of 2025 and Criminal Application (APL) No. 2061 of 2025 are allowed the First Information Report bearing Crime No. 374 of 2023 for offence punishable is under Section 307 of the Indian Penal Code, 1860 culminating into regular Regular Criminal Case No. 3555/2024 pending before the 5th Jt. Civil Judge Junior Division and J.M.F.C., Nagpur is quashed and set aside.

ii) As far as Criminal Application (APL) No. 2061 of 2025 is concerned, The First Information Report bearing no. 0082 of 2023 for offences punishable under Section 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code, 1860 is also quashed and set aside.

iii) Cost of Rs. 25,000/- (twenty five thousand rupees) to be paid by the applicants to the “Police Welfare Fund, Nagpur” and the cost of Rs. 10,000/- (ten thousand rupees) by the non-applicant no. 2 to be paid to the “Government Pleader Library” within two weeks from today. Payment of cost would be condition precedent for the order to come into effect and the compliance be reported to this Court.

iv) Applications are disposed of in above said terms.

(NANDESH S. DESHPANDE, J.)

(URMILA JOSHI-PHALKE, J.)

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