



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 CRIMINAL APPLICATION NO.2181 OF 2025

Vikram Vishwanath Adhe And Others

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicants : Mr. Reddy Ajinkya

APP for Respondents: Mr. S.A. Gaikwad

Adv. For Resp. No.2 : Mr. N.U. Telgaonkar h/f Mr. Vishnu Korde

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 09, 2026

ORDER :-

1. The applicants/accused seeks quashment of the First Information Report dated 3.01.2022 in crime no.2 of 2022, registered with Mantha Police Station, District Jalna for the offences punishable under sections 323, 327, 452, 143, 147, 149, 504, 506 of the Indian Penal Code.

2. The investigation has been set in motion on the basis of the information given by respondent no.2 alleging that, his daughter-in-law Anjana Parmeshwar Chavan expired on 28th December, 2021. On 30 December 2021, family members of his daughter-in-law-Anjana entered in his house. They were alleging that Anjana committed suicide due to ill-treatment given by the informant and his family members. It is further

alleged that accused Vikram, Vishwanath and Nitin assaulted him by kicks and fist, abused and threatened to kill him. Accused Nilesh and Nitin took away cash worth Rs.25,000/- and gold ornaments from the trunk. On the basis of aforesaid information, crime no.2 of 2022 came to be registered against the applicants for aforesaid offences. Investigation progressed and charge-sheet came to be filed in R.C.C. no.7 of 2024, which is pending trial before the Judicial Magistrate First Class, Mantha.

3. The applicants filed present application under section 482 of the Criminal Procedure Code seeking quashment of FIR and consequential proceeding in RCC no.7 of 2024. On 21st July, 2025, this court issued notices to the respondents. On 16th December, 2025 learned advocate appearing for the applicants had submitted that parties have arrived at amicable settlement and sought leave to produce terms of settlement on record. Accordingly, parties were directed to appear before the learned Registrar (Judicial) of this Court for verification. Parties presented themselves before the Registrar on 16th December, 2025. Respondent no.2 submitted her affidavit alongwith consent terms, admitted signature/thumb mark and

stated that settlement is voluntary. The learned Registrar has forwarded his report alongwith duly verified terms of settlement. Respondent no.2 has stated that due to misunderstanding and unpleasant sudden events, he had given information to the police leading to registration of the FIR. However, he has no objection to quash and set aside impugned FIR and proceeding.

4. Perusal of the charge-sheet would show that after death of Anjana, who committed suicide on 28th December, 2021, some dispute crop-up between family members from her maternal and matrimonial side. Charge-sheet nowhere shows recovery of any amount in pursuance to allegations in the FIR so as to attract the ingredients of section 327 of the Indian Penal Code. The root cause leading to registration of the FIR was matrimonial dispute. Parties have amicably settled the dispute. Terms of compromise are signed and duly verified by them. In this background, no purpose would be served by continuing prosecution in pursuance to the charge-sheet in RCC no.7 of 2024 pending before the Judicial Magistrate First Class, Mantha. Terms of compromise are taken on record and marked as exhibit 'X' for identification.

5. In the aforesaid background, reference can be made to the observations of the Hon'ble Supreme Court **in case of Gian Singh vs State Of Punjab & Anr** reported in (2012) AIR SCW 303 and **Narinder Singh & others vs. State Punjab and another** reported in (2014) SCC 466, wherein in Gian Singh's case it is observed by the Hon'ble Supreme Court that "certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or 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 offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated."

6. In case of **Narinder Singh** (supra), the Hon'ble Supreme Court has laid down further guidelines in paragraph no.31 of the judgment and observed that "where criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases."

7. In light of the aforesaid observations and looking to the nature of inception of the criminal proceeding in present case, this Court finds that continuation of criminal proceeding would be futile and detrimental to the interest of the parties.

8. The learned APP submits that, although, parties have settled the dispute and they have set law in motion. Investigation agency was exerted in collection of evidence till filing of the charge-sheet. Therefore, appropriate costs shall be

imposed upon the parties. There is force in the contentions of the learned APP.

9. In the result, following order is passed :-

ORDER

- i. Criminal application is allowed.
- ii. The FIR in crime no.2 of 2022 dated 3.1.2022 registered with Mantha Police Station for the offences punishable under sections 327, 452, 143, 147, 149, 323, 504, 506 of the Indian Penal Code and further proceeding in RCC no.7 of 2024 against the applicants is here by quashed and set aside.
- iii. The applicants shall deposit costs of Rs.25,000/- (Rs. Twenty Five Thousand) to be payable to the Government Cancer Hospital, Chhatrapati Sambhajanagar (Aurangabad) and furnish report of compliance to this Court within a period of six weeks from today.
- iv. Criminal application stands **disposed of**.

(S. G. CHAPALGAONKAR, J.)

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