

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. WRIT PETITION NO. 5468 OF 2024

Taufeek Jahangir Jamadar And Ors. ... Petitioners

Versus

State Of Maharashtra And Anr. ... Respondents

Mr. Umesh H. Pawar for the Petitioners.

Mrs. S.N. Deshmukh, A.P.P. for the Respondent No.1-State.

Mr. Prashant Bandgar i/b. Mr. Gajanan M. Savagave for the Respondent No.2.

Coram : RANJITSINHA RAJA BHONSALE, J.

Date : 8th May 2026.

PER COURT :

1. This Petition is filed seeking quashing of F.I.R. bearing C.R. No.0350 of 2024, dated 28th October 2024, registered with Shirol Police Station, District Kolhapur, for the offences punishable under Sections 3(5), 352, 85 of the Bharatiya Nyaya Sanhita, 2023 (for short, "B.N.S."), so also Chargesheet No. 1771 of 2025 and the proceedings in R.C.C. No. 306 of 2025 pending before the learned Judicial Magistrate First Class at Jaysingpur.

2. Learned Advocate for the Petitioners would submit that the present F.I.R. has been filed by the Respondent No.2 against her husband i.e. the

Petitioner No.1 and his relatives i.e. Petitioner Nos.2 to 6. That, during the pendency of the Petition, the parties have settled their disputes with the intervention of the well wishers and family members. That, it is agreed that an amount of Rs.1,25,000/- will be paid to the Respondent No.2. He would submit that the parties have settled their dispute including the D.V. proceedings bearing PWDVA Application No. 48 of 2024 pending before the learned Judicial Magistrate First Class at Jaysingpur.

3. Learned Advocate for the Respondent No.2 submits that the matter between the Respondent No.2 and the Petitioner has been settled amicably. That, the Respondent No.2 has filed her affidavit giving her consent for quashing of the said F.I.R. in-question.

4. Respondent No. 2 is present in Court and reiterates the contents of the Consent Affidavit. Learned Advocate for the Respondent No. 2 identified the Respondent No. 2 and has tendered a copy of the Aadhar Card of Respondent No. 2. The same is taken on record and marked as 'X' for identification.

5. On a interaction with the Respondent No.2, learned A.P.P. Ms. Deshmukh has confirmed that, the Respondent No.2 has amicably settled and resolved the dispute and that the Affidavit has been filed without any coercion or compulsion.

6. Perusal of the Affidavit indicates that the Petitioners and Respondent No.2 after realizing their misunderstandings against each other, with the

intervention of the common friends and well wishers, have amicably resolved all the disputes. That, the Respondent No.2 has specifically, in para No.7, has agreed to withdraw the D.V. proceedings bearing PWDVA Application No. 48 of 2024 pending before the learned Judicial Magistrate First Class at Jaysingpur. That, the Respondent No.2 has amicably settled her all allegations and disputes with the Petitioner and his family members. She does not have any objection for quashing of the F.I.R. in question and the resultant chargesheet bearing No. 1771 of 2025 and proceedings in R.C.C. No. 306 of 2025 pending before the learned Judicial Magistrate First Class at Jaysingpur.

7. That, the Respondent No.2 has confirmed the receipt of amount of Rs.1,25,000/- through D.D. No.001012 drawn on the Bank of India towards her permanent alimony and settlement of all matrimonial domestic disputes between the Respondent No.2 and the Petitioners. The Respondent No.2 has specifically stated in her Affidavit in para No.8 that she has taken legal advice from her Advocate and she has filed Affidavit on her own free will and consent.

8. The scope of the High Court's inherent powers under Section 482 of the Code of Criminal Procedure has been comprehensively elucidated by the Hon'ble Supreme Court in *Narinder Singh v. State of Punjab (2014) 6 SCC 466*. The Court has categorically held that the power to quash criminal

proceedings under Section 482 is distinct from the power of compounding offences under Section 320 of the Code. It has further been recognized that even in cases involving non-compoundable offences, the High Court may exercise its inherent jurisdiction to quash proceedings where the parties have amicably settled their disputes. In the context of matrimonial disputes, which predominantly arise out of personal differences and discord between spouses, the Supreme Court has consistently emphasized that such matters possess a private and personal character. Where the parties have resolved their differences, either by reconciliation or by mutually agreeing to part ways, continuation of criminal proceedings would serve no fruitful purpose and may, in fact, impede the prospects of peace and rehabilitation. Although this inherent power is not to be exercised in cases involving heinous offences or crimes having a serious impact on society, matrimonial disputes and related incidental disputes stand on a different footing, being essentially private in nature. Therefore, when the parties have voluntarily and amicably settled their disputes and have expressed their intention to move forward peacefully, the High Court would be justified in quashing the proceedings. In the present case, considering that the dispute arises out of matrimonial discord and the parties have arrived at a genuine settlement to resolve all their differences, the continuation of criminal proceedings would amount to an abuse of the process of law. Accordingly, to secure the ends of justice and to promote

harmony between the parties, this Hon'ble Court deems it appropriate to accept the settlement and quash the FIR and all consequential proceedings.

9. Considering the above facts and circumstances, more particularly detailed in Affidavit filed by the Respondent No.2, I am inclined to quash the F.I.R. bearing C.R. No.0350 of 2024, dated 28th October 2024, registered with Shirol Police Station, District Kolhapur, for the offences punishable under Sections 3(5), 352, 85 of B.N.S., so also Chargesheet No. 1771 of 2025 and the proceedings in R.C.C. No. 306 of 2025 pending before the learned Judicial Magistrate First Class at Jaysingpur.

10. In view thereof, the Petition is allowed in terms of prayer clauses (b), (b-1) and (b-2).

[RANJITSINHA RAJA BHONSALE, J.]

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