

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

CRIMINAL APPELLATE JURISDICTION
CR. WRIT PETITION NO. 4568 OF 2025

Amar Bandu Kirvekar ... Petitioner

Versus

State Of Maharashtra And Another ... Respondents

Petitioner is present in person.

Mr. Bhushan S. Jadhav a/w Ms. Siddheshwari R. Chavan for the Petitioner.

Mrs. Shubhnagi Deshmukh, A.P.P. for the Respondent-State.

Mr. Pramod Kadam a/w Ms. Sujata Maskar for the Respondent No. 2.

Respondent No. 2 is present in person.

Coram : RANJITSINHA RAJA BHONSALE, J.

Date : 23rd APRIL 2026.

R. C. :-

1. Learned Advocate for the Petitioner seeks leave to amend the Petition so as to mention R.C.C. No. 609 of 2025 in prayer clause (a). Leave is granted. Amendment to be carried out forthwith.
2. The present Petition is filed under Article 226 of the Constitution of India, read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of FIR bearing No. 210 of 2025 dated 3rd May 2025, registered with Sangali City Police Station for the offences punishable under

Sections 85 and 115(2) of the B.N.S., and the charge-sheet filed thereafter in R.C.C. No. 609 of 2025.

3. Learned Advocate appearing for the Petitioner submits that the Petitioner and Respondent No. 2 have amicably settled their disputes and that the parties have no grievance against each other.

4. Learned Advocate appearing for Respondent No. 2 also submits that the parties have settled their disputes. Respondent No. 2 is present in Court and reiterates the contents of her Consent Affidavit dated 23rd April 2026, wherein she has given her consent for quashing of the criminal proceedings. The learned Advocate for Respondent No. 2 has identified the Respondent No. 2. A copy of the Aadhaar Card of Respondent No. 2 is tendered across the bar. The same is taken on record and marked as 'X' for identification.

5. Perusal of the Consent Affidavit dated 23rd April 2026 indicates that, due to the intervention of elders, well-wishers, and family members, all disputes and differences between the Petitioner and Respondent No. 2 have been amicably resolved. It is further stated that the parties filed Marriage Petition No. 07 of 2026 under Section 13(B) of the Hindu Marriage Act, 1955, for dissolution of marriage by mutual consent. The said petition has been allowed on 21st April 2026.

6. In the said Consent Affidavit, the Respondent No. 2, in paragraph 4, states that she is employed as an HR Manager in the private sector and is

capable of maintaining herself. She further states that she had paid an amount of Rs. 1,19,504/- to the Petitioner during the period of cohabitation, which has been returned by the Petitioner. Additionally, she has received permanent alimony of Rs. 78,496/-. She submits that she has received a total amount of Rs. 1,98,000/- from the Petitioner.

7. Respondent No. 2 in paragraph 5 of the Consent Affidavit has specifically stated that, all the terms and conditions are fulfilled as per the Marriage Petition and she has no grievance against the Petitioner.

8. Respondent No. 2, in her Consent Affidavit dated 23rd April 2026, in paragraphs 6 and 7 has stated that, the settlement between the parties has been arrived at voluntarily, without any force, coercion, pressure, or undue influence from any person. She has further stated that, she has no grievance or objection of any nature against the Petitioner and does not wish to pursue the said complaint/FIR or the proceedings arising therefrom. She has also given her no objection to quashing and setting aside the aforesaid complaint/FIR and all consequential proceedings pending against the Petitioner.

9. 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 Hon'ble Supreme 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 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.

10. 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 Court deems it appropriate to accept the settlement and quash the FIR and all consequential proceedings.

11. Considering the aforesaid facts, I am inclined to quash the FIR bearing No. 210 of 2025, dated 3rd May 2025, registered with the Sangli City Police Station and chargesheet filed thereafter as R.C.C. No. 609 of 2025.

12. In view thereof, application is allowed in terms of prayer clause (a).

[RANJITSINHA RAJA BHONSALE, J.]