



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (APPW) NO.1676/2025 WITH
MISC. CRIMINAL APPLICATION 194/2025 IN
CRIMINAL WRIT PETITION NO.607/2016

Premdeep N. Matlane .Vs. State of Maharashtra and Others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Ankita Malik, Advocate for applicant.
Mr. S. S. Doifode, A.P.P. for non applicant Nos. 1 and 2.
Mr. N. B. Bargat, Advocate for non applicant No.3.

CORAM : ANIL L. PANSARE AND RAJ D. WAKODE, JJ.
DATE : NOVEMBER 20, 2025.

Heard.

2. By present application, petitioner – husband is seeking to condone the delay in filing restoration application.

3. We are informed that the parties herein are husband and wife. The dispute has been settled between them before the Supreme Court Mediation Centre on 24.03.2025 and the Supreme Court, pursuant to the said settlement, passed an order dated 21.05.2025 to that effect in Special Leave Petition No.370/2023. One of the conditions of settlement was that the parties agreed to withdraw all the cases filed against each other.

4. The petition under question, which the petitioner-husband intends to restore to file, pertains to quashing of First Information Report (“FIR”), which will have to be quashed in terms of the settlement arrived at between the parties.

5. In view thereof and for the reasons stated in the applications, the applications are allowed. Delay is condoned. Criminal Writ Petition No.607/2016 is restored to file.

6. The applications are disposed of.

Criminal Writ Petition No.607/2016

Heard.

2. The petition has been filed by the petitioner-husband and his relatives to quash and set aside FIR No.247/2016, recorded with Police Station, Khadan, Akola, District Akola.

3. As stated above, the parties have settled the dispute before the Supreme Court. Relevant part of the order of settlement reads thus:

“4. Both the parties hereto have arrived at an amicable settlement on the following terms and conditions:-

A. Whereas the Parties have filed following cases against each other:-

(1) Petitioner wife has filed Criminal Appeal No.70/2019 Under Section 29 of DV Act pending before District and Sessions Court, Akola- Maharashtra.

(ii) Respondent husband has filed Criminal Writ Petition No.607 of 2016, pending before High Court of Bombay at Nagpur Bench.

(iii) Respondent Husband has filed Criminal Appeal No.69/2019 under section 29 of DV Act, before District and Sessions Judge, Akola Maharashtra.

B. That the parties have agreed that the Respondent-husband will pay to the Petitioner-wife a total sum of Rs. 10,50,000/- (Rupees Ten Lakhs and Fifty Thousand Only) towards full and final settlement of all her claims towards her permanent alimony, Stridhan, maintenance (past, present, future) and any other claim whatsoever.

C. Both the parties shall withdraw all the cases mentioned in para no.4(A) of the present settlement agreement and any other cases filed by them against each other.

D. The Respondent - husband shall not object the withdrawal by the Petitioner wife of the deposited payment of Rs.1,50,000/- (Rupees One Lakhs and Fifty Thousand) alongwith accrued interest as stands deposited before the Hon'ble High Court of Bombay, Nagpur Bench. The Respondent Husband agrees to provide details of such deposit and assistance to Petitioner wife if so sought.

E. The Respondent -husband shall pay the remaining balance amount after the deduction of payment as per

para 4 (D) i.e. the amount out of the agreed total of Rs. 10,50,000/- (Rupees Ten Lakhs fifty Thousand) within three months from the date of settlement agreement, through either RTGS/ DD.”

4. As could be seen, the proceeding referred to in the order i.e. Criminal Appeal No.70/2019 under Section 29 of the DV Act, was pending before the Sessions Court, Akola and another is the present writ petition. The third proceeding was filed by the petitioner – husband, being Criminal Appeal No.69/2019 under Section 29 of the DV Act, which was also pending before the District Court, Akola.

5. Counsel for respondent – wife submits that Criminal Appeal No.70/2019 has been withdrawn. He, however, submits that, to the best of his knowledge, the appeal filed by petitioner – husband i.e. Criminal Appeal No.69/2019, has been not withdrawn and is now listed for hearing before District Judge–4 and Additional Sessions Judge, Akola on 08.12.2025.

6. Thus, it appears that respondent – wife has acted in terms of the settlement but petitioner – husband has not.

7. In the circumstances, the prayer made in the present petition can only be considered once the petitioner – husband withdraw the aforesaid appeal and comply other terms and conditions of the Settlement Agreement. The petitioner shall act accordingly.

8. List the petition in the week commencing from 15.12.2025.

(JUDGE)

(JUDGE)