



111.APL.401.2024 aw APL.273.2024.odt

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (APL) NO. 401 OF 2024

(Farukh Mamun Rashid Patel V/s State of Maharashtra & Anr.)

WITH

CRIMINAL APPLICATION (APL) NO. 273 OF 2024

(Rehana Mamun Rashid Patel & Ors. V/s State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. V. R. Thote, Advocate for Applicants in both
the Applications.

Mr. S. A. Mohta, Advocate for Respondent No.2
in both the Applications.

Mr. M. J. Khan, APP for Respondent No.1/State
in both the Applications.

CORAM : PRAVIN S. PATIL, J.
DATE : JANUARY 21, 2026.

Heard.

2. Both the Applications are arising out of the complaint lodged by the Respondent No.2 with Police Station, Ramnagar, Chandrapur vide Crime No. 0096/2024 for the offence punishable under Section 498-A read with Section 34 of Indian Penal Code on the ground that Applicants have caused mental and physical harassment to the Respondent No.2. Basically the issue arose in both the Applications is out of matrimonial dispute between the Applicant/husband namely, Farukh Mamun Rashid Patel and Respondent No.2 Sameena Farukh Patel.

3. During the pendency of present Application, parties have amicably settled their dispute, and accordingly, decided to get separated from each other. In this regard, the Affidavit dated 21/1/2026 is placed on record, wherein their settlement terms are quoted. In view of their settlement, prayer is made to quash and set aside the criminal proceeding registered against the present Applicants in both the matters.

4. In view of the law laid down by the Hon'ble Supreme Court in the case of *B. S. Joshi and Others V/s State of Haryana and Another, (2003) 4 SCC 675* that in the cases of matrimonial dispute where the parties arose to compromise, then this Court should consider their settlement in terms of their Agreement and Section 320 of the Code of Criminal Procedure, 1973 would not be a bar to the exercise of powers of quashing of FIR.

5. In the light of this factual and legal position, First Information Report registered with Police Station, Ramnagar, Chandrapur in connection with Crime No. 0096/2024 for the offence punishable under Section 498-A read with Section 34 of Indian Penal Code is hereby quashed and set aside, subject to costs of Rs.10,000/- by the Applicants and Respondent No.2 jointly to be deposited with the Public Welfare Account which is opened in terms of Suo Motu Public Interest Litigation No. 1/2021 within a period of four weeks from today.

6. Both Criminal Application stands disposed of in terms of Affidavit dated 21/1/2026.

[PRAVIN S. PATIL, J.]

vijaya