



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

CRIMINAL APPLICATION (APL) NO. 331 OF 2024
(Vitthal Kisan Gire & Ors. V/s The 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
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Mr. S. B. Gandhe, Advocate for Applicants.
Mr. N. R. Raut, Advocate for Respondent No.2.
Mr. G. S. Umale, APP for Respondent No.1.

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

. Heard.

2. It is pointed out that this matter is arising out of matrimonial dispute. The offence vide Crime No. 0027/2024 for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of Indian Penal Code came to be registered with the Police Station, Dongaon, District Buldhana against the present Applicants.

3. During the pendency of present Application, matter has been amicably settled between the parties, and accordingly, the Joint Affidavit dated 21/1/2026 is placed on record. The Respondent No.2 and on behalf of the Applicants, Applicant No.9, who is husband of the Respondent No.2, are present in Court. The learned Counsel for both sides have verified their presence in the matter and Joint Affidavit which is duly signed by them.

4. After going through the Joint Affidavit it is clear that the Applicant No.9 and Respondent No.2 have decided to cohabit with each other and presently they are residing together. In the circumstances, 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, Dongaon, District Buldhana in connection with Crime No. 0027/2024 for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of Indian Penal Code is hereby quashed and set aside.

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

[PRAVIN S. PATIL, J.]

vijaya