



928.APL.1217.2024.odt

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

CRIMINAL APPLICATION (APL) NO. 1217 OF 2024

(Gaurav Vishwas Chavhan 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
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Mr. A. M. Tirukh, Advocate for Applicant.
Mr. Mohan Agrawal, Advocate h/f Mr. S. V.
Sirpurkar, Advocate for Respondent No.2.
Ms. S. V. Kolhe, APP for Respondent No.1/State.

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

. Heard.

2. It is pointed out that out of matrimonial discord the Respondent No.2 lodged complaint against the present Applicant, and accordingly, the offence vide Crime No. 563/2023 for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of Indian Penal Code came to be registered against the Applicant.

3. During the pendency of this Application, this matter was referred to the Mediator, and accordingly, in the mediation proceeding this matter was settled between the Applicant and Respondent No.2 on certain terms and conditions. The Mediator has submitted his report on 16/10/2025. The report is duly signed by the Applicant and Respondent No.2 in presence of the Mediator.

4. So also today the joint affidavit is filed by the parties on record. Both the parties are present in Court and admitted that there was a settlement before the Mediator and both are agreeable to the same.

5. In view of this factual position and 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, the Criminal Application is allowed.

6. The First Information Report registered with Police Station, Patur, District Akola in connection with Crime No. 563/2023 for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of Indian Penal Code is hereby quashed and set aside.

7. Criminal Application stands disposed of in terms of Mediator's Report dated 16/1/2025 and Joint Affidavit dated 21/1/2026.

[PRAVIN S. PATIL, J.]

vijaya