



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO. 345 OF 2025

APPLICANT :- Prince @ Kedar Prashant Jaiswal,
Aged 24 years, resident of
Gandhinagar, Chikhli, Tahsil Chikhli,
District Buldana.

..VERSUS..

**NON-
APPLICANTS** :- 1) The State of Maharashtra, through
Police Station Officer, Police Station,
Chikhli, District Buldhana.

2) Aditya Prashant Gupta, Aged about
35 years, R/o Gandhi Nagar,
Chikhli, Tq. Chikhli, Dist. Buldhana

Mr. Sachin S. Deshpande, counsel for applicant.
Mr. Nikhil Joshi, APP for non-applicant/State.
Mr. Digambar Chargade, counsel for non-applicant No.2.

CORAM : **URMILA JOSHI PHALKE, J.**

DATE : **26/03/2026**

ORAL JUDGMENT:

1. Heard.
2. **ADMIT.** Heard finally with the consent of learned
counsel for the applicant, learned APP for the non-applicant /
State and learned counsel for the non-applicant No.2.

3. By this application, the applicant is seeking quashing of the FIR in connection with Crime No. 85 of 2025 registered with Police Station Chikhli, for the offence punishable under Sections 118(1), 351(2) and 296 of the Bhartiya Nyaya Sanhita, 2023, and the consequent proceedings arising out of the same bearing chargesheet No. 104/2025, pending before the Judicial Magistrate First Class, Chikhli.

4. The FIR came to be lodged against the present applicant on the basis of a report lodged by non-applicant No.2, alleging that on 30/01/2025, there was an altercation of the words between both of them. It is alleged that, during the said altercation, the applicant has assaulted the non-applicant No.2 and also threatened him. On the basis of said report, police have registered the crime against the present applicant.

5. During pendency of this application, both the parties arrived at a settlement. The terms of settlement have been placed on record. It is mentioned that, as they are residents of the same village and wish to maintain the cordial relationship

between them, they have decided to settle the dispute. Moreover, the FIR came to be lodged under the misunderstanding of some facts, and now they want to settle the dispute.

6. Admittedly the offence which is alleged is non-compoundable one but in view of the Hon'ble Apex court in the case of *Gian Singh Vs State of Punjab reported* in MANU/SC/0781/2012, wherein it is observed that where High Court quashes a criminal proceeding having regard to the fact that dispute between the offender and victim has been settled, although offences are not compoundable it does so in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in the case demands that the dispute between the parties is put to an end and peace is restored, securing the ends of justice being the ultimate guiding factor.

7. In this regard, specific reference was made to the offences arising out of matrimonial dispute, particularly relating to dowry or other family disputes, where the wrong is basically to victim and the offender, and both have settled all

disputes amicably, irrespective of the fact that such offences have not been made compoundable.

8. The High Court may, within the framework of its inherent power, quash a criminal proceeding or criminal complaint or FIR if it is satisfied that, on the face of such settlement, there is hardly any likelihood of the offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

9. In the light of the above observations, if the facts of the present case are taken into consideration, it is admitted that the alleged incident took place suddenly during the altercation of the words between the applicant and non-applicant No.2. There was no intention as to cause injury to any other person. It was merely a sudden quarrel between them, and out of that, the alleged incident has taken place. Admittedly, the nature of the offence is not heinous one, and therefore, the settlement deserves to be accepted. In view of that, I proceed to pass the following order.

ORDER

- a] The criminal application is **allowed**.
- b] The FIR in connection with Crime No. 85 of 2025 registered with Police Station Chikhli, for the offence punishable under Sections 118(1), 351(2) and 296 of the Bhartiya Nyaya Sanhita, 2023, and the consequent proceedings arising out of the same bearing chargesheet No. 104/2025 pending before the Judicial Magistrate First Class, Chikhli, is hereby quashed and set aside against the present applicant.
10. Pending application(s), if any, stands **disposed of**.

(URMILA JOSHI PHALKE, J.)