

CRIMINAL APPLICATION (APL) NO. 360 OF 2025

APPLICANTS

- //VERSUS//**

1. **The State of Maharashtra,**
Through Police Station Officer,
Khallar, Amravati Gramin (Rural),
Tq and District – Amravati.
 2. **Shilpa Amol Shingane**
Aged – 35 years, Occ – Household
R/o – Sawra, Akot Gramin (Rural)
Tq. Akot, District – Akola.
- NON-APPLICANT**

Mr. Vipul Bhise, Advocate for the applicants.
Mr. N.B. Jawade, APP for non-applicant No.1/State.
Mr. A.P. Thakare, Advocate for non-applicant no.2.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 07.03.2026

ORAL JUDGMENT :

1. Leave is granted to the applicants to add husband as party applicant No.4 since settlement has been arrived between the husband-applicant No.4 and non-applicant No.2. Amendment be carried out forthwith.

2. Heard.

3. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.

4. The present application is preferred by the applicants for quashing of the First Information Report in connection with crime No.140/2016 registered with the non-applicant No.1-Police Station Khallar, District Amravati under Sections 498-A, 323, 325, 504 and 506 read with 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing Charge-sheet No.02/2016 and RCC No.13/2017. Applicant No.1 is the

father in law, applicant Nos.2 and 3 are the sister in law and applicant No. 4 is the husband.

5. The crime is registered on the basis of report lodged by non-applicant No.2 on an allegation that her marriage was performed with applicant No.4. After marriage there was ill treatment at the hands of all the applicants for the unlawful demands and therefore, she constrained to leave the matrimonial house. During investigation investigating officer has recorded the relevant statements of the witnesses.

6. During pendency of this application applicant No.4-husband and non-applicant No.2-wife both have arrived at settlement. They have decided to obtain decree of dissolution of marriage. Accordingly they approached to the Civil Judge, Senior Division and accordingly the decree of dissolution of marriage was passed. Copy of the same is filed on record. The applicant No.4 and non-applicant No.2 are present before the Court. The contents of the compromise are verified from them. They have agreed and accepted the same. As observed by the Hon'ble Apex Court in the case of **Gian Singh vs State of Punjab** reported in

(2012) 10 SCC 303 that where the High Court quashes a criminal proceeding having regard to the fact that the dispute between the offender and the victim has been settled, although the offences are not compoundable, it does so as 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. In this regard, a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute, where the wrong is basically to the victim but the offender and the victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable. The High Court may within the framework of its inherent power, quash the 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. At the same time investigating agency has spared time to investigate the matter as well as there was an adjudication of the

matter before the trial Court as well as before this Court. Therefore, application deserves to be allowed subject to the cost.

7. Hence, I proceed to pass the following order:-

ORDER

(i) The Criminal Application is allowed.

(ii) The First Information Report in connection with crime No.140/2016 registered with the non-applicant No.1- Police Station Khallar, District Amravati under Sections 498-A, 323, 325, 504 and 506 read with 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing Charge-sheet No.02/2016 and RCC No.13/2017 is quashed and set aside to the extent of applicants subject to the costs of Rs.10,000/- by the applicants and Rs.5,000/- by the non-applicant No.2.

(iii) Costs be deposited in the 'Public Welfare Account' bearing No.129712010001014, IFSC Code UBIN0812978, Union Bank of India, Branch High Court, Civil Lines, Nagpur.

(iv) The order will come into effect after payment of cost.

8. The criminal application stands disposed of in the above said terms.

Pending applications, if any, also stand disposed of.

(URMILA JOSHI PHALKE, J.)

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