



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

CRIMINAL APPLICATION (APL) NO.1031 OF 2025

Hari s/o Hitesh Sejpal and others

Vs.

State of Maharashtra, through Police Station Officer, Shirajgaon,
District Amravati Gramin and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. R. Dawda, Advocate for applicants.
Mr. H. D. Dubey, APP for non-applicant No.1/State.
Mr. Bhavin Suchak, Advocate for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/01/2026

1. By this application, the applicants are seeking quashing of the First Information Report (for short 'FIR') in connection with crime No.497/2024 registered with Police Station Shirajgaon, District Amravati for the offence punishable under section 498-A read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No.70/2025 pending before the learned 2nd Joint Civil Judge Junior Division and Judicial Magistrate First Class, Chandur Bazar.

2. The crime is registered on the basis of a report lodged by the non-applicant No.2 on an allegation that her marriage was performed with the applicant No.1. After marriage, she resumed cohabitation, however, she was not treated well and

therefore, she constrained to leave the matrimonial house. On the basis of the said report, police have registered the crime against the present applications.

3. During the pendency of this application, both parties arrived at a settlement. The pursis is already filed to that effect. In view of the settlement, both parties decided to dissolve the marriage by obtaining the decree of divorce. Accordingly, the Hindu Marriage Petition No.9/2026 before the Civil Judge Senior Division is already filed. The parties are present before the Court and I have verified the contents of the settlement.

4. The nature of the dispute is matrimonial in nature and both parties have already arrived at a settlement and decided to dissolve the marriage. In view of the observation of the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab and another, MANU/SC/0781/2012** wherein the Hon'ble Apex Court observed 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 arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim but the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable.

5. Thus, in view of the observation of the Hon'ble Apex Court in the present case, as the dispute is of a matrimonial in nature, which is settled, no purpose would be served by forcing the present applicants to face the trial. In view of that, the application deserves to be allowed. At the same time, considering that the parties have already decided to dissolve the marriage, the entire police machinery was set in motion on the basis of the said complaint as well as the Court has also spent valuable time in adjudication. In view of that, the application deserves to be allowed, subject to the cost of Rs.20,000/- [Rs. Twenty Thousand] by the applicants and Rs.10,000/- [Rs. Ten Thousand] by the non-applicant No.2. Accordingly, I proceed to pass following order:

ORDER

(i) The application is **allowed**.

(ii) The First Information Report in connection with crime No.497/2024 registered with Police Station Shirajgaon, District Amravati

for the offence punishable under section 498-A read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No.70/2025, is hereby quashed and set aside to the extent of the present applicants, subject to the cost of Rs.20,000/- [Rs. Twenty Thousand] by the applicants and Rs.10,000/- [Rs. Ten Thousand] by the non-applicant No.2.

(iii) The cost be paid to the **"Public Welfare Account"**, by depositing the same in the following account number.

Account No.: 129712010001014
IFSC Code : UBIN0812978
[Union Bank of India, Branch
High Court, Civil Lines, Nagpur.]

(iv) The compliance be reported to this Court.

(v) The order will come into effect after the compliance is made by the parties.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)