



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

CRIMINAL APPLICATION (APL) NO. 1464 OF 2025

(Sou. Kausalya Shailendra Soni & Anr.

Vs.

State of Maharashtra, Thr. Police Station Officer, Tahsil Police Station,
Nagpur & 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. Prakash Randive, Advocate for the Applicants.

Mr. Nikhil Joshi, APP for the Non-applicant No.1/State.

Mr. Rohan Bhishikar, Advocate for the Non-applicant No.2.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 13th JANUARY, 2026

1. The present Application is preferred by the Applicants for quashing of the FIR in connection with Crime No.431/2023 and charge-sheet bearing No.49/2024 registered with Tahsil Police Station, Nagpur for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing R.C.C. No. 3089/2024.

2. The crime is registered on the basis of a report lodged by the Informant/Non-applicant No.2 on an allegation that her marriage was performed with Aman Shailendra Soni who died on 23.01.2022 and she was subjected for ill-treatment by the present Applicants who are the in-laws by demanding the amount of LIC which she has received after the death of her husband. On the basis of the said report Police have registered the crime against the present Applicants.

3. During the pendency of this Application, both the parties arrived at a settlement. The settlement terms are verified from the Applicants as well as the Non-applicant No.2. The Non-applicant No.2 has already performed the marriage and she is residing alongwith her husband.

4. At this stage, the observations of the Hon'ble Apex Court in the case of *Gian Singh Vs. State of Punjab, reported in (2012) 10 SCC 303*, wherein the 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 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.

5. In addition to that, in the case of *Naushey Ali Vs. State of U.P. reported in (2025) 4 SCC 78*, the Hon'ble Apex Court has observed that the proceeding with the trial, when the parties have amicably resolved the dispute, would be futile and the ends of justice require that the settlement be given effect to by quashing the proceedings. It would be a grave abuse of process particularly when the dispute is settled and resolved.

6. In view of the above observations, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
- ii. The prayer of Applicant No.1/Sou. Kausalya Shailendra Soni and Applicant No.2/Shri Shailendra Shrikrushna Soni for quashing of the First Information Report bearing Crime No. 431/2023 and charge-sheet bearing No.49/2024 registered with Tahsil Police Station, Nagpur for the offence punishable under Sections 498-A, 323, 504 read with Section 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing R.C.C. No. 3089/2024 are hereby quashed and set aside.

7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)