



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

**CRIMINAL APPLICATION (APL) NO. 1724 OF 2025**

( Satish S/o Purushottamrao Sawarkar & Ors.

**Vs.**

State of Maharashtra, Thr. P.S.O. Badnera, Tah. & Dist. Amravati &  
Anr.)

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| 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. C.G. Deo, Advocate h/f Mr. D.R. Bhoyar, Advocate for the Applicants.  
Mr. Nikhil Joshi, APP for the Non-applicant No.1/State.  
Mr. S.A. Walde, Advocate a/w Mr. K.J. Topale, Advocate for the  
Non-applicant No.2.

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

**DATED : 6<sup>th</sup> FEBRUARY, 2026**

1. The present Application is preferred by the Applicants for quashing of the FIR in connection with Crime No.242/2023 registered with Police Station, Badnera, District Amravati for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code and the consequent proceeding arising out of the same bearing R.C.C. No. 2046/2023.

2. The crime is registered on the basis of the report lodged by the Informant/Non-applicant No.2 on an allegation that her marriage was performed with the Applicant No.1 on 17.05.2021. After marriage she resumed the cohabitation at the house of the present Applicants but she was ill-treated on

various grounds, and therefore, she constrained to leave the matrimonial house. She has narrated the detail regarding the ill-treatment at the hands of the present Applicants. On the basis of the said report Police have registered the crime and the investigation was carried out and after completion of the investigation the charge-sheet was submitted.

3. During the pendency of this Application, the Applicant No.1 and Non-applicant No.2 entered into the settlement. As per the settlement they have decided to dissolve the marriage and they have already approached to the Family Court, Amravati and obtained the decree of dissolution of marriage. The reply filed by the Non-applicant No.2 alongwith the copy of the decree of dissolution of marriage is taken on record and marked as '**Exh.A**' for the purpose of identification. The dispute between the Applicant No.1 and the Non-applicant No.2 is matrimonial in nature. Now they have settled the dispute and decree of dissolution of marriage is already obtained by them.

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 view of the above observations and considering that the criminal law is set in motion on the basis of the report lodged by the Non-applicant No.2, the entire Police machinery have spared their valuable time for the investigation of the said crime as well as the Court has also spared the time, therefore the Application deserves to be allowed subject to the cost. In view of that, I proceed to pass the following order.

### **ORDER**

- i. The Application is **allowed**.

- ii. The First Information Report bearing Crime No. 242/2023 registered with Police Station, Badnera, 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 R.C.C. No. 2046/2023, are hereby quashed and set aside to the extent of the present Applicants, subject to the cost of Rs.20,000/- by the Applicants and Rs. 10,000/- by the Non-applicant No.2 to be paid to the **“Public Welfare Account” in Account No. 129712010001014 IFSC Code : UBIN0812978** Union Bank of India, Branch High Court, Civil Lines, Nagpur.
  - iii. This order will come into operation after the compliance is reported to this Court.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)