



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

CRIMINAL APPLICATION (APL) NO. 1969 OF 2025

MOHAMMAD SHOYEB @ RAJU S/O MOHAMMAD YUSUF AKBANI AND OTHERS

Vrs.

THE STATE OF MAHARASHTRA AND ANOTHER

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R. S. Akbani, Advocate for applicants.
Shri Nikhil Joshi, APP for non-applicant No.1-State.

CORAM: URMILA JOSHI-PHALKE, J.

DATE : 13/02/2026.

1. Leave is granted to the applicants to make husband as party.
2. Application is for quashing of FIR in connection with Crime No.324/2025 registered under Sections 3 and 4 of the Dowry Prohibition Act, 1961 and under Sections 85, 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing R.C.C. No.177/2025.
3. During the pendency of this application, applicants and non-applicant No.2 arrived at a settlement. They both are present before the Court and submitted that now, they are residing together and there is no grievance against each other.

4. The applicant No.7 husband - Mohamad Tausif Mohamad Yusuf Akbani and non-applicant No.2 both are present before the Court.

5. The contents of settlement which are narrated by them is verified from them. They disclosed that they are residing together and they are not having any grievance against each other.

6. Considering the dispute is of a matrimonial nature and in view of the observations of the Hon'ble Apex Court in the case of Gian Singh Vs. State of Punjab and another, reported in 2012(10) SCC 303, wherein the Hon'ble Apex Court has 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.

7. In this regard, a specific reference was made to the offences arising out of matrimony, particularly relating to dowry, etc. or a family dispute.

8. Dispute is of a matrimonial nature and both have decided to stay together. In view of that, application deserves to be allowed.

9. Accordingly, I proceed to pass the following order :-

ORDER

- i] Application is allowed.
- ii] The FIR in connection with Crime No.324/2025 registered under Sections 3 and 4 of the Dowry Prohibition Act, 1961 and under Sections 85, 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing R.C.C. No.177/2025 is hereby quashed and set aside against the present applicants.

10. Application is disposed of.

[JUDGE]

Choulwar