



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

CRIMINAL APPLICATION (APPP) NO.910 OF 2026
IN
CRIMINAL APPLICATION (APL) NO.805 OF 2022

Deepakkumar s/o Rekhehandji Prakash and others

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Kotwali, District Nagpur 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. S. P. Bhandarkar, Advocate for the complainant.
Mr. M. J. Khan, APP for non-applicant No.1/State.

CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.
DATED : 17/04/2026

1. This is an application seeking recalling of the order dated 19.09.2025 passed in Criminal Application (APL) No.805/2022.

2. We have heard Mr. Bhandarkar, learned counsel for the applicant/complainant. The only ground which is pressed in service is that oral assurances on the basis of which the compromise was alleged are not complied. It is a matter of record that the FIR in question bearing Crime No.4/2021 was quashed and set aside on the basis of settlement between the parties, a fact which is reflected in our judgment dated 19.09.2025. The oral assurances or the alleged breach thereof cannot be a ground thereof to recall the order. We are fortified in our view by Judgment of the Hon'ble Apex Court **Raghunath Sharma Vs. State of Haryana and another**

reported in **2025 SCC OnLine SC 1148** which is read as under:

"In view of the above discussion of law, the conclusion is that the impugned judgment was passed by the High Court without any authority or basis. Once the criminal cases had been quashed, under Section 482 Cr.P.C. on the ground of compromise entered into between the parties, one of the parties violating terms thereof is a ground entirely foreign to law, to once again invoke such powers and recall the order of quashing. Violations of a term of a compromise have their own avenues of law from which they can be enforced."

3. In that view of the matter, no reason is called for recalling the order dated 19.09.2025, hence the application is rejected.

4. Needless to mention that, we have not commented on the legal remedies available to the petitioners in law to approach the appropriate Court/Authority in accordance with law.

(NANDESH S. DESHPANDE, J) (URMILA JOSHI-PHALKE, J)