



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

CRIMINAL APPLICATION (APL) NO. 85 OF 2026

APPLICANTS

- :-**
- 1) Nilesh s/o Ramdas Tumsare,
Aged about 36 years, Occu: Private,
R/o c/o Ramkrishna Sakharkar, Behind
Subhash Ward, Ganeshpur, Bhandara,
Tah. & Dist. Bhandara (Husband).
 - 2) Vinod Ramdas Tumsare,
R/o c/o Ramkrishna Sakharkar, Behind
Subhash Ward, Ganeshpur, Bhandara,
Tah. & Dist. Bhandara (Brother-in-
Law).
 - 3) Bharatbhushan Ramdas Tumsare,
R/o c/o Ramkrishna Sakharkar, Behind
Subhash Ward, Ganeshpur, Bhandara,
Tah. & Dist. Bhandara (Brother-in-
Law).
 - 4) Seema @ Janvi Vinod Tumsare,
R/o c/o Ramkrishna Sakharkar, Behind
Subhash Ward, Ganeshpur, Bhandara,
Tah. & Dist. Bhandara (Sister-in-Law).

..VERSUS..

RESPONDENTS

- :-**
- 1) The State of Maharashtra,
through Police Station Officer, Police
Station Hudkeshwar, Nagpur.
 - 2) Khushboo w/o Nilesh Tumsare,
Aged about 28 years, Occu: Nil,
R/o c/o Ankushrao Bondre, Plot No.
90, Kirti Nagar, Narsala Road, Dighori,
Nagpur.

Mr. Madhur A. Deo, counsel for applicants.
Mr. G.S. Umnale, APP for respondent/State.

CORAM : **PRAVIN S. PATIL, J.**
DATE : **03/02/2026**

ORAL JUDGMENT :

1. Heard. **Rule.** Rule made returnable forthwith. By consent of Mr. Madhur Deo, learned counsel for applicants and Mr. G.S. Umale, learned APP for respondent/State, the application is taken up for final hearing at the stage of admission.

2. By this application, the applicants seek quashment of proceedings bearing Regular Criminal Case No. 1947 of 2023, pending before the Judicial Magistrate First Class, Nagpur, arising out Crime No. No. 723 of 2022 registered for the offence punishable under Sections 420, 498-A read with Section 34 of the Indian Penal Code, 1860, along with Final Report No. 148 of 2023.

3. It is pointed out that the dispute was arising out of matrimonial discord between the parties and the same is amicably settled between the parties before the Family Court, Bhandara. Accordingly, the parties have executed a Settlement Pursis, and considering the said Settlement Pursis, the learned Family Court, Bhandara, by its order dated 05/01/2026, decided proceedings between the parties.

4. Today, both learned counsels have jointly placed on record the Settlement Pursis filed before the Family Court, Bhandara, and prayed for quashing of the present proceedings also.

5. The applicants and the non-applicant No.2 are present before this Court. The respective counsels have identified the applicants and the non-applicant No.2. Before this Court, the applicants have handed over a Demand Draft of Rs. 2,00,000/- to the non-applicant No.2, which has been duly received by her. As such, there is no dispute regarding receipt of total amount by the non-applicant No.2

6. On a query put by the Court, the parties stated that the matter has been amicable settled between the parties, and they do not want to proceed further in the matter against the present applicants.

7. In view of the judgment of the Hon'ble Supreme Court of India in the case of *B.S. Joshi and Others v. State of Haryana and Another, reported in (2003) 4 SCC 675*, wherein it is held that if there is an amicable settlement between the parties in a matter arising out of a matrimonial dispute, there is no impediment in permitting such settlement by this Court by invoking its powers under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023..

8. In view of the facts and circumstances of the case, the application deserves to be allowed. Hence, I proceed to pass the following order.

ORDER

- a] The criminal application is **allowed** in terms of their Settlement Pursis submitted before the Family Court, Bhandara in Regular Darkhast No. 19 of 2025.
- b] The offence in Crime No. 723 of 2022 registered at Police Station Hudkeshwar, Nagpur, against applicants for the offence punishable under Sections 420, 498-A read with

Section 34 of the Indian Penal Code, 1860, is hereby quashed and set aside.

c] All pending applications stand disposed of.

9. Rule is made absolute in the aforesaid terms. No orders as to costs.

(PRAVIN S. PATIL, J)