



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

CRIMINAL APPLICATION APL NO.391/2026

Jitendra Ramesh Deotale and ors

..VS..

State of Mah., thr.PSO Umred, Nagpur Rural, Tahsil Umred, Nagpur and anr

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

**Shri A.D.Gabhane, Counsel for the Applicants.
Shri K.R.Lule, APP for the State.**

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 06/03/2026

1. By this application, the present applicants are seeking quashing of FIR in connection with Crime No.649/2017 registered with the non-applicant No.1 police station for offences under Sections 498A and 494 read with 34 of the IPC and consequent proceeding arising out of the same bearing RCC No.93/2018 pending before learned JMFC, Umred.
2. During the pendency of the present application, both the parties, present applicants and non-applicant No.2, have settled the dispute amicably, which is matrimonial in nature.
3. As per the settlement, they have decided that non-applicant No.2 shall withdraw proceeding filed under the provisions of the Domestic Violence Act. They have already obtained the decree of dissolution of marriage.
4. The contents of the settlement are verified from the present applicants and the non-applicant No.2 and they have agreed and accepted the same.

5. The Hon'ble Apex Court, in the case of **Gian Singh Vs. State of Punjab and anr**, reported in (2002) 10 SCC 303, observed that, "where High Court quashes a criminal proceeding having regard to the fact that dispute between the offender and victim has been settled although 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 the matrimony particularly relating to dowry etc. or family dispute where the wrong is basically to victim and the offender and 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 F.I.R if it is satisfied that on the face of such settlement, there is hardly any likelihood of offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated.

6. At the same time, considering that after registration of the crime, the investigation agency has spare its time to investigation the matter and valuable time of this court as well as lower court is spent in litigating or adjudicating the said

matter, the application is allowed subject to costs and, therefore, following order is passed:

ORDER

(1) The criminal application is **allowed**.

(2) FIR in connection with Crime No.649/2017 registered with the non-applicant No.1 police station for offences under Sections 498A and 494 read with 34 of the IPC and consequent proceeding arising out of the same bearing RCC No.93/2018 pending before learned JMFC, Umred are hereby quashed and set aside to the extent of present applicants subject to costs of Rs.10,000/- by the present applicants and Rs.5000/- by the non-applicant No.2.

(3) The costs be deposited with the "Public Welfare Account", having Account No.129712010001014 (IFSC Code : UBINo.812978).

(4) This order will come into effect after depositing the costs by the present applicants and the non-applicant No.2.

The application stands **disposed of**.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!