



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

CRIMINAL APPLICATION (APL) NO. 470 OF 2026

(Aadarsh Purushottam Harwani & Ors.

Vs.

State of Maharashtra, Thr. P.S.O., P.S. City Kotwali, District Amravati &
Anr.)

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. U.V. Chakravarty, Advocate for the Applicants.
Ms. H.N. Prabhu, APP for the Non-applicant No.1/State.
Mr. S.B. Gandhe, Advocate for the Non-applicant No.2.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 6th APRIL, 2026

1. Not on board taken on board.
2. The present Application is preferred by the Applicants for quashing of the FIR in connection with Crime No.80/2025 registered with Police Station City Kotwali, Amravati for the offence punishable under Sections 74, 115(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing R.C.C. No.856/2025.
3. The crime is registered on the basis of the report lodged by the Non-applicant No.2/Rekha Bhondur Gohar on an allegation that on 09.03.2025 at about 07.30 p.m., when she was going to Temple, at that time she went in the Adarsh Hotel, at that time there was hot exchange of words between

the present Applicants and one of the Applicants i.e. Aadarsh Harwani has hold her hand and assaulted her as well as other family members were also assaulted. On the basis of the said report Police have registered the crime against the present Applicants.

4. During the pendency of this Application, both the parties arrived at a settlement. The settlement terms are filed on record. The Non-applicant No.2 is also present before the Court and I have verified the terms and conditions of the settlement from the Non-applicant No.2 which she had agreed and accepted. Though offence is alleged under Section 118 i.e. voluntarily causing hurt or grievous hurt using dangerous weapons or means, however, the injuries sustained by Rekha are simple in nature which are abrasion. Thus, no grievous injuries are sustained by her as well as the injuries sustained by Kamal who appeared through Video Conferencing is also simple in nature. The statements of various witnesses are also recorded, from which it reveals that, due to business transaction the alleged incident has occurred. Now, both the parties have decided to settle the dispute amicably to maintain the cordial relationship. The Applicants as well as Non-applicant No.2 are present. The contents of the settlement are verified from them by me personally and they have agreed and accepted the same.

5. 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.

6. In view of the above observations and considering the relationship between the parties as well as the injuries sustained which are not grievous in nature, the Application deserves to be allowed. However, considering that the criminal law is set in motion on the basis of the report lodged, the entire Police machinery have spared their 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 costs. 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. 80/2025 registered with Police Station City Kotwali, Amravati for the offence punishable under Sections 74, 115(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and consequent proceeding arising out of the same bearing R.C.C. No.856/2025, are hereby quashed and set aside to the extent of the present Applicants, subject to the costs of Rs.15,000/- by the Applicants, 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. The order will come into effect after depositing the costs.
7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)