



(1)

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

CRIMINAL APPLICATION (APL) NO.581 OF 2026

1. Nilesh s/o. Ravishankar Chimurkar,
Aged about 38 Years,
Occupation : Private Job,
2. Ravishankar s/o Pundalik Chimurkar,
Aged about : 69 Years,
Occupation : Retired.,
3. Shashikala w/o Ravishankar Chimurkar,
Aged 63 Years,
Occupation : Housewife,
Applicant No. 1 to 3 are
R/o. Hariom Nagar, Naginabag,
New Shende Layout,
Near Hanuman Temple,
Chandrapur - 442401.

.... APPLICANTS

// VERSUS //

1. The State of Maharashtra,
through Police Station Kotwali,
District Nagpur.
2. Priyanka w/o Nilesh Chimurkar,
Aged about 34 Years,
Occupation Service,
R/o. Plot No.313,
Pushpanjali Apartment,
Reshimbag, Nagpur - 440024.

....NON-APPLICANTS

Mr. N. B. Karade, Advocate for applicants.
Mr. N. B. Jawade, APP for non-applicant No.1/State.
Mr. Tejas Kene, Advocate for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 18/03/2026

ORAL JUDGMENT :

1. Heard.

(2)

2. **Admit.**

3. Heard finally with the consent of the learned Counsel for the applicants, learned APP for the State and learned counsel for the non-applicant No.2.

4. By this application, the applicants are seeking quashing of the FIR in connection with Crime No.86/2025 registered with Police Station Kotwali, Nagpur for the offence punishable under Sections 85, 352, 3(5), 115(2) of the Bharatiya Nyaya Sanhita, 2023.

5. The crime is registered on the basis of a report lodged by the non-applicant No.2 on an allegation that her marriage with the applicant No.1 was performed on 19.12.2016. After marriage, she resumed cohabitation, however, she was not treated well and therefore, she constrained to leave the matrimonial house and staying separately. On the basis of the said report, police have registered the crime against the present applicants. During the matrimonial proceeding the parties arrived at a settlement and therefore, this application is filed to quash the FIR in view of the settlement.

6. The applicants as well as the non-applicant No.2 are present. The contents of the settlement are verified from them personally by me and they have accepted the contents of the settlement.

(3)

7. In view of the observation of the Hon'ble Apex Court in the case of **Gian Singh Vs. State of Punjab and another** reported in **MANU/SC/0781/2012** wherein the Hon'ble Apex 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 arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to the victim but 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 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.

8. At the same time, considering the entire investigating agency has spared their time in investigating the matter as well

(4)

as the Courts have also spared their time and the applicants and non-applicant No.2 are not coming together, but they are parting each other, and therefore, the application deserves to be allowed, subject to the costs of Rs.10,000/- by the applicants and Rs.5,000/- by the non-applicant No.2. In view of that, I proceed to pass following order:

ORDER

- (i) The application is **allowed**.
- (ii) The FIR in connection with Crime No.86/2025 registered with Police Station Kotwali, Nagpur for the offence punishable under Sections 85, 352, 3(5), 115(2) of the Bharatiya Nyaya Sanhita, 2023, is hereby quashed and set aside, subject to the costs of Rs.10,000/- (Rs. Ten Thousand) by the applicants and Rs.5,000/- (Five Thousand) by the non-applicant No.2.
- (iii) The cost be deposited in the account of **"Public Welfare Account". The Account number is 129712010001014, IFSC Code : UBIN0812978 [Union Bank of India, Branch High Court, Civil Lines, Nagpur.]**
- (iv) The order will come into effect after depositing the cost.

The application is disposed of.

(URMILA JOSHI-PHALKE, J)