



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

CRIMINAL APPLICATION (APL) NO. 695 OF 2026

APPLICANT :- Shri Shyam s/o Ramesh Gharjode,
Aged about 40 years, Occu:
Business, R/o Plot No. 139,
Ayodhya Nagar, Near Ram Mandir,
Nagpur-440024.

..VERSUS..

NON-
APPLICANTS :- 1) State of Maharashtra,
through Police Station Officer, Police
Station Hudkeshwar, Nagpur.

2) Sau. Ratuja d/o Laxman Gharjode,
Aged about 26 years, Occu: Private,
R/o Plot No. 139, Ayodhya Nagar,
Near Ram Mandir, Nagpur-440024.

Mr. H.S. Meshram, counsel for the applicant.
Ms R.V.Sharma, APP for non-applicant/State.

CORAM : URMILA JOSHI PHALKE, J.
DATE : 30/03/2026

ORAL JUDGMENT :

1. Heard.
2. **ADMIT.** Heard finally with the consent of learned
counsel for the applicant and learned APP for non-applicant /

State.

3. The present application is preferred by the applicant for quashing of the FIR in connection with Crime No. 582 of 2021, registered with Police Station Hudkeshwar, Nagpur, for the offence punishable under Sections 354, 452 and 294 of the Indian Penal Code, 1860, and consequent proceedings arising out of the same, bearing Charge Sheet No. 200 of 2021, pending before the 6th Joint Civil Judge, Junior Division and Judicial Magistrate First Class, Nagpur.

4. The crime is registered on the basis of a report lodged by non-applicant No.2, on an allegation that the present applicant has outraged her modesty by his indecent behaviour as well as by holding the hand of non-applicant No.2. On the basis of said report, police have registered the crime against the present applicant.

5. During the pendency of the investigation, both parties arrived at a settlement, and settlement terms have been filed on record. As per the settlement terms, due to some misunderstanding, the complaint was filed and now complainant is not willing to proceed with this application.

6. The complainant as well as the applicant are present before the Court. The contents of the settlement terms are verified from the complainant she aggrieved and accepted the same. She is also represented by her counsel.

7. Admittedly, the offence alleged is not compoundable one. However, in view of the observation of the Hon'ble Apex Court in the case of *Gian Singh Vs State of Punjab reported in MANU/SC/0781/2012*, wherein it is 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 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.

8. At the same time, considering the fact that the applicant as well as non-applicant No.2 have used the police machinery to settle their personal grievances against each other and therefore, the application deserves to be allowed

subject to the costs. In view of that, I proceed to pass the following order.

ORDER

- a] The Criminal Application is **allowed**.
 - b] The FIR in connection with Crime No. 582 of 2021, registered with Police Station Hudkeshwar Nagpur, for the offence punishable under Sections 354, 452 and 294 of the Indian Penal Code, 1860 and consequent proceedings arising out of the same bearing Chargesheet No. 200 of 2021, pending before the 6th Joint Civil Judge, Junior Division and Judicial Magistrate First Class, Nagpur, are hereby quashed and set aside against the present applicant, subject to the costs of Rs. 10,000/- by the applicant and Rs. 5000/- by the non-applicant No.2.
 - c] The costs be deposited in **Public Welfare Account No. 129712010001014, IFSC Code : UBINO812978, Branch: Union of India High Court Branch.**
 - d] The order will come into effect after compliance of depositing the costs.
9. Pending application(s), if any, stands **disposed of**.

(URMILA JOSHI PHALKE, J.)