



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

CRIMINAL APPLICATION (APL) NO. 729 OF 2026

1. Dr. Amol s/o Kesharao Peshattiwar,
Aged 40 years, Occupation-Doctor, **APPLICANT**
R/o Peth Ward,
Bhagatsingh Chowk,
Bramhapuri
District Chandrapur

// V E R S U S //

1. State of Maharashtra through
Police Station Officer, Police Station **NON-APPLICANTS**
Awadhutwadi, District Yavatmal
2. Dr. Snehal w/o Amol Peshattiwar,
(Dr. Snehal D/o Kishor Mekratwar)
Age 35 years, Occ- Doctor,
R/o C/o Kishor Mekratwar,
Gurunanak Nagar, Godhani Road,
Yavatmal

Mr. A.U. Deshmukh, Advocate for the applicant.
Mr. A.M. Kadukar, APP for non-applicant No.1 /State.
Mr. Yash Bage, Advocate for non-applicant No.2.

CORAM : URMILA JOSHI PHALKE, J.

DATED : 06.04.2026

ORAL JUDGMENT :

1. Heard.

2. **ADMIT.** Taken up for final disposal with the consent of learned counsel for the parties.

3. The present application is preferred by the applicant for quashing of the First Information Report in connection with crime No.22/2023 registered at Police Station Awadhutwadi District Yavatmal for the offences punishable under Sections 498(A), 504, 506 read with 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No.306/2023 pending before the 5th Joint Civil Judge, Junior Division, and Judicial Magistrate First Class, Yavatmal.

4. The crime is registered on the basis of the report lodged by non-applicant No.2 on an allegation that her marriage was performed with present applicant in the year 2015. After marriage they were blessed with one daughter also. However, there was difference of opinion and she allegedly ill treated by the present applicant and his family members. Due to which she constrained to leave the matrimonial house. On the basis of the said report police have registered crime against the present applicant.

5. During pendency of this application both parties arrived at settlement. The settlement terms are also filed on record. As per the said settlement terms, the applicant has deposited Rs.57 Lakhs for the maintenance of the daughter. They have also decided to obtain the decree of dissolution of marriage. The said decree requires to be passed subject to the condition that the non-applicant No.2 shall withdraw all the cases. Reply is filed by the non-applicant No.2 which is taken on record stating that she has already withdrawn all other cases.

6. Applicant and non-applicant No.2 both are personally present. The contents of the settlement are personally verified by me from the non-applicant No.2. She has accepted and agreed the same.

7. Admittedly the offence punishable under Section 498-A of IPC is non-compoundable, but the offence arising out of the matrimonial dispute and parties have already settled their disputes amicably and they have already decided to obtain decree of divorce no purpose would be served by forcing the present applicant to face the trial. As the entire police machinery was set

in motion due to complaint. They have spared their time in investigating the matter. The trial Court has also spent their time to adjudicate the application. In view of that as applicant and non-applicant No.2 are obtaining the decree of divorce. The application deserves to be allowed subject to the costs. In view of that application deserves to be allowed.

8. Hence, I proceed to pass the following order:-

ORDER

(i) The Criminal Application is allowed.

(ii) The First Information Report in connection with crime No.22/2023 registered at Police Station Awadhutwadi District Yavatmal for the offences punishable under Sections 498(A), 504, 506 read with 34 of the Indian Penal Code and consequent proceeding arising out of the same bearing RCC No.306/2023 pending before the 5th Joint Civil Judge, Junior Division, and Judicial Magistrate First Class, Yavatmal is quashed and set aside subject to costs of Rs.10,000/- by the applicant and Rs.5000/- by the non-applicant No.2.

(iii) Costs be deposited in the 'Public Welfare Account' bearing No.129712010001014, IFSC Code

UBIN0812978, Union Bank of India, Branch High Court, Civil
Lines, Nagpur.

(iv) This order will come into effect after depositing
the costs in the said account.

9. The criminal application stands disposed of in
the above said terms.

Pending applications, if any, also stand disposed of.

(URMILA JOSHI PHALKE, J.)

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