



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

CRIMINAL APPLICATION APL NO.792/2026

Bharath s/o Gopal Singh (Husband) and ors

..VS..

The State of Mah., thr.PSO of PS Juna Sheher, District: Akola and anr

WITH

CRIMINAL APPLICATION APL NO.795/2026

Deepa Singh w/o B.Vijaykanth Singh (Cousin Mother-in-law)

..VS..

The State of Mah., thr.PSO, Old City Police Station, Taluka and District Akola and anr

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

Court's or Judge's Order

Shri Sayed Salman Ali, Counsel for the Applicants.

Shri A.M.Joshi, APP for the State.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 10/04/2026

1. By these applications, applicants are seeking quashing of FIR in connection with Crime No.0640/2025 registered with non-applicant No.1 police station for offences under Sections 85, 115(2), 352, 351(2), and 3(5) of the BNS and consequent proceeding arising out of the same bearing RCC No.1937/2025 pending before learned 4th Joint JMFC, Akola.

2. The crime is registered on the basis of a report lodged by Vaishali w/o Bharath Singh (the complainant) on allegations that her marriage was performed with applicant Bharath Singh on 5.12.2024. After the marriage, she resumed cohabitation, she was ill-treated for unlawful demand as well as for various reasons.

3. On the basis of the said report, the police have registered the crime. After registration of the crime, investigation started rotating. During the investigation, the Investigating Officer has recorded relevant statements of witnesses. After completion of the investigation, chargesheet is submitted against present applicants.

4. In the meantime, the parties arrived at a settlement. Applicant Bharath s/o Gopal Singh and the complainant resumed cohabitation and now, they are residing together. A joint affidavit to that effect is also filed on record.

5. Applicant Bharath s/o Gopal Singh and the complainant both have appeared through Video Conferencing. The contents of the affidavit are verified from them by me personally. They have agreed and accepted the same and they have stated that they are now residing together and they have no grievance against each other.

6. In view of the settlement between the parties, the application deserves to be allowed.

7. Admittedly, offence under Section 85 of the BNS is non-compoundable offence.

8. 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.”

9. In view of the above observations, present applications deserve to be allowed. Accordingly, I proceed to pass following order:

ORDER

(1) The criminal applications are **allowed**.

(2) FIR in connection with Crime No.0640/2025 registered with non-applicant No.1 police station for offences under Sections 85, 115(2), 352, 351(2), and 3(5) of the BNS and consequent proceeding arising out of the same bearing RCC

No.1937/2025 pending before learned 4th Joint JMFC, Akola are hereby quashed and set aside to the extent of present applicants only.

Applications stand **disposed of**.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!