

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1822 OF 2023

Karan Abasaheb Chaudhary and others ...Applicants

versus

The State of Maharashtra and another ...Respondents

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Mr. Manoj A. Dond, advocate for the applicants  
Mr. R.B. Bagul, A.P.P. for respondent No.1  
Mr. Shriniwas S. Wagh, advocate for respondent No.2.

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**CORAM : R. G. AVACHAT AND  
SANJAY A. DESHMUKH, JJ.**

**DATED : 14<sup>th</sup> JUNE, 2023.**

**ORDER (PER: SANJAY A. DESHMUKH, J.):**

1. Heard the learned advocates for the respective parties.
2. This is an application filed under Section 482 of Cr. P. C. for quashing of F.I.R. No. I-611 of 2022, registered with Newasa Police Station, District Ahmednagar, for the offences punishable under Sections 9, 10, 11 of Prohibition of Child Marriage Act, Sections 376(2) (I) (J) (K) (N) of I.P.C. and Sections 3 / 4, 7/8, 5(L), 6, 9(L), 10, 11 (5) and 12 of Protection of Child from Sexual Offences Act, 2012.
3. It is alleged that the applicants have performed the marriage of daughter of applicant No.2 and 3 illegally, when she was

below the age of 18 years at the time of performing the marriage. She was forced to perform the said marriage and therefore, F.I.R. was lodged by the informant Ashok Laxman Shinde, the Village Development Officer (Gramsevak).

4. The learned advocates for the respective parties submitted that the parties have amicably settled the matter between them. A joint affidavit duly sworn in by the applicants as well as the informant is tendered across the bar. The same are taken on record and marked as "X" for identification. It is averred in the said affidavit that the victim of the crime has now attained the age of majority. During pendency of this application, the applicants and the victim of the crime have arrived at amicable settlement and presently the victim of the crime is residing with applicant No.1, as his wife, under one roof. There are peaceful and cordial relations between the parties. Therefore, the applicants and the victim of the crime have prayed for quashing of the F.I.R.

5. Considering the fact that the marriage of daughter of applicant Nos. 2 and 3 was performed with applicant No.1 and now applicant No.1 and daughter of applicant Nos. 2 and 3 i.e. respondent No.2 victim are residing together under one roof peacefully and there are cordial relations between both the parties, there is no point in proceeding with the case against the applicants (original accused). Therefore, in the interest of justice and to prevent the abuse of

process of law, the F.I.R. deserves to be quashed and set aside. However, in the interest of justice also, it would be appropriate to direct applicant Nos. 2 and 3 to deposit an amount of Rs.10,000/- (Rupees Ten thousand only) to the District Court Bar Association, Ahmednagar, with direction to the said Bar Association to incur the said amount for purchasing books for their Library.

6. In view of the above and considering the fact that the matter is amicably settled between the parties, the criminal application is allowed in terms of prayer clause "B" on condition that applicant Nos. 2 and 3 to deposit an amount of Rs.10,000/- (Rupees Ten thousand only) to the District Court Bar Association, Ahmednagar, on or before 30.06.2023. The receipt of it be filed in this proceeding. The said Bar Association is directed to incur the said amount for purchasing books for Library of the Bar Association, Ahmednagar.

**(SANJAY A. DESHMUKH, J.)**

**(R. G. AVACHAT, J.)**

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