



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

103 CRIMINAL APPLICATION NO.2323 OF 2025

Sourabh Subhash Mule,  
Age 20 yrs., Occ. Service (Indian Army),  
R/o Bhim Nagar New, Jalna,  
Post Jalna, Dist. Jalna.

... Applicant

... Versus ...

- 1 The State of Maharashtra  
Through Police Station Officer,  
Sadar Bazar Police Station,  
Tq. & Dist. Jalna.
- 2 Rekha Santosh Avhad,  
Age 50 yrs., Occ. Labour,  
R/o Bhimnagar, Jalna,  
Tq. & Dist. Jalna.

... Respondents

...

Mr. K.P. Rathod, Advocate for applicant  
Mrs. Priya R. Bharaswadkar, APP for respondent No.1  
Mr. A.A. Pawar, Advocate for respondent No.2

...

CORAM : SMT. VIBHA KANKANWADI &  
SUSHIL M. GHODESWAR, JJ.

DATE : 20<sup>th</sup> AUGUST, 2025

**ORDER :** ( PER : SMT. VIBHA KANKANWADI, J. )

1            Applicant is the accused No.1 in Crime No.399/2024 dated 18.04.2024 registered with Sadar Bazar Police Station, Jalna. After investigation the charge sheet came to be filed vide Regular Criminal Case No.533/2024 before learned Chief Judicial Magistrate, Jalna, for the offence punishable under Sections 452, 427, 143 of the Indian Penal Code, 1860 and under Section 135 of the Maharashtra Police Act, 1951.

2            The parties have arrived at the compromise and compromise terms have been filed. Those terms of compromise are got verified by learned Registrar (Judicial), who then submitted report on 08.08.2025. It being a contract, if at all any term is not fulfilled or remained to be fulfilled at a later point of time, it can be put to execution. Under such circumstance, it would be an abuse of process of law if applicant is now asked to face the trial. However, as applicant has utilized the proceedings for no reason at all and had not remained present at the time of compromise terms, we impose cost on applicant. Hence, following order.

**ORDER**

- i)            Criminal Application stands allowed.

ii) The proceedings in Regular Criminal Case No.533/2024 pending before learned Chief Judicial Magistrate, Jalna arising out of First Information Report vide Crime No.399/2024 dated 18.04.2024 registered with Sadar Bazar Police Station, Jalna, for the offence punishable under Sections 452, 427, 143 of the Indian Penal Code, 1860 and under Section 135 of the Maharashtra Police Act, 1951 stands quashed and set aside as against applicant Sourabh Subhash Mule only.

iii) Applicant to deposit Rs.10,000/- (Rupees Ten Thousand only) on or before 30.08.2025, with the High Court Legal Services Sub Committee, Aurangabad.

( SUSHIL M. GHODESWAR, J. )

( SMT. VIBHA KANKANWADI, J. )

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