



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

31 CRIMINAL APPLICATION NO.2746 OF 2023

1 Ruksar Mohsin Shaikh,
Age 33 yrs., Occ. Household,
R/o Shivam Colony, Pipeline Road,
Behind Tuljabhavani Temple, Savedi,
Ahmednagar, Tq. & Dist. Ahmednagar.

2 Alisha d/o Salim Sayyad @
Alisha w/o Hussain Sayyad,
Age 28 yrs., Occ. Household,
R/o Flat No.12, 4th Floor,
Metro Plaza Apartment,
Paithan Gate, Aurangabad.

3 Salim Anwar Sayyad,
Age 60 yrs., Occ. Retired,

4 Saida Salim Sayyad,
Age 50 yrs., Occ. Household,

Applicant Nos.3 and 4 are
r/o Fatema Housing Society,
Madarsa, Ward No.1, Shrirampur,
Tq. Shrirampur, Dist. Ahmednagar.

5 Maruf Salim Sayyad,
Age 25 yrs., Occ. Private Service,
R/o C/o Flat No.B2-1702, "Blue Ridge",
Hinjawadi, Tq. Mulashi, Dist. Pune.
At present Fatema Housing Society,
Madarsa, Ward No.1, Shrirampur,
Tq. Shrirampur, Dist. Ahmednagar.
(Withdrawn vide order dated 01.09.2023.)

... Applicants

... Versus ...

- 1 The State of Maharashtra
Through Rural Police Station,
Udgir, Tq. Udgir, Dist. Latur.
- 2 Shagufta Parveen Maruf Sayyad,
Age 23 yrs., Occ. Service i.e. Software Engineer,
R/o Flat No.B2-1702, "Blue Ridge",
Hinjwadi, Tq. Mulashi, Dist. Pune.
At Present r/o Noor Patel Colony,
Shehal Road, Udgir, Tq. Udgir,
Dist. Latur.

... **Respondents**

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Mr. M.S. Shaikh, Advocate for applicants

Mr. N.R. Dayama, APP for respondent No.1

Mr. A.P. Deshmukh, Advocate for respondent No.2

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WITH

CRIMINAL APPLICATION NO.1020 OF 2025

Maruf Salim Sayyad,
Age 25 yrs., Occ. Education,
R/o C/o Flat No.B2-1702, "Blue Ridge",
Hinjwadi, Tq. Mulashi, Dist. Pune.
At present Fatema Housing Society,
Madarsa, Ward No.1, Shrirampur,
Tq. Shrirampur, Dist. Ahmednagar.

... **Applicant**

... **Versus** ...

- 1 The State of Maharashtra
Through Rural Police Station,
Udgir, Tq. Udgir, Dist. Latur.

- 2 Shagufta Parveen Maruf Sayyad,
Age 23 yrs., Occ. Service i.e. Software Engineer,
R/o Lalbi Manzil, Ganeshwadi,
Govindnagar, Shirdi, Tq. Rahata,
Dist. Ahmednagar.

... **Respondents**

...

Mr. M.S. Shaikh, Advocate for applicants

Mr. N.R. Dayama, APP for respondent No.1

Mr. A.P. Deshmukh, Advocate for respondent No.2

...

**CORAM : SMT. VIBHA KANKANWADI &
SANJAY A. DESHMUKH, JJ.**

DATE : 29th APRIL, 2025

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

1 All the applicants are original accused in Crime No.412/2023 dated 01.07.2023 registered with Police Station, Udgir (Rural), Tq. Udgir, Dist. Latur. After investigation the charge sheet came to be filed vide Regular Criminal Case No.331/2023 before learned Judicial Magistrate First Class, Udgir, for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2 Since the Court had shown disinclination to grant any relief in favour of applicant No.5 (husband of informant) in Criminal Application

No.2746 of 2023, he had sought withdrawal of application. Criminal Application No.2746 of 2023 then dismissed as withdrawn as against applicant No.5 vide order dated 01.09.2023. Now, since the parties had arrived at compromise, applicant No.5 in Criminal Application No.2746 of 2023 has filed another application i.e. Criminal Application No.1020 of 2025.

3 The parties have filed compromise terms on record. Those terms of compromise are got verified by learned Registrar (Judicial), who then submitted report on 17.04.2025. 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 the applicants are now asked to face the trial. Hence, following order.

ORDER

- i) Both Criminal Applications stand allowed.
- ii) The proceedings in Regular Criminal Case No.331/2023 pending before learned Judicial Magistrate First Class, Udgir, Tq. Udgir, Dist. Latur, arising out of First Information Report vide Crime No.412/2023 dated 01.07.2023 registered with Police Station, Udgir (Rural), Tq. Udgir, Dist. Latur, for the offence punishable under Sections 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code, 1860, stands quashed and set aside

as against applicants viz. 1) **Ruksar Mohsin Shaikh**, 2) **Alisha d/o Salim Sayyad @ Alisha w/o Hussain Sayyad**, 3) **Salim Anwar Sayyad** and 4) **Saida Salim Sayyad** in Criminal Application No.2746 of 2023 and applicant viz. **Maruf Salim Sayyad** in Criminal Application No.1020 of 2025.

(SANJAY A. DESHMUKH, J.)

(SMT. VIBHA KANKANWADI, J.)

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