

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

935 CRIMINAL APPLICATION NO. 3843 OF 2024

1. Khaisara Begum w/o Safar Ahemad
Khan

2. Bismilla Khan Safar Khan Pathan Applicants

Versus

1. The State of Maharashtra

2. The Superintendent of Police,
Parbhani.

3. Babar Khan Rahim Khan Pathan

4. Ismat Bismilla Khan Pathan Respondents

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Mr. Adinath Jagtap, Advocate for the applicants.
Mr. G.A. Kulkarni, A.P.P. for respondent No.1-State.
Mr. B.S. Dhawale, Advocate for respondent No.2.

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**CORAM : SANDIPKUMAR C. MORE AND
MEHROZ K. PATHAN, JJ.**

DATED : 14 OCTOBER 2025

Per Court :

1. Leave to amend the prayer clause by inserting
Sessions Case No. 118 of 2025, during the course of the day.

2. The applicants, who are respective mother-in-law
and husband of respondent No.4 Ismat Bismilla Khan Pathan
are seeking quashing of F.I.R. in C.R. No.391 of 2023

registered with Pathri police station, Taluka Pathri, District Parbhani under Sections 307, 323, 324, 498-A, 506, 506 read with Section 34 of the Indian Penal Code alongwith criminal proceeding arising therefrom bearing Sessions Case No. 118 of 2025 (earlier R.C.C. No. 252 of 2024), on settlement.

3. Order dated 16.12.2024 passed by the earlier Bench indicates that at the relevant time parties had already settled the dispute by filing affidavit-in-reply of informant/respondent No.3 i.e. the father of respondent No.4 and also by respondent No.4 herself. However, by noticing injuries on the person of victim i.e. respondent No.4, mentioned in injury certificate dated 02.09.2023, this Court did not record compromise and waited for watching behaviour of applicants with the victim and then adjourned the matter.

4. Today, the victim as well as her father and the applicants are present before us. Affidavits-in-reply filed by respondent Nos.3 and 4 indicate that since last one year respondent No.4/victim is residing with the applicants and there are no incidents of her ill-treatment during the said period. This fact is verified by us by personally inquiring with respondent No.4. So also, father of respondent No.4 i.e. respondent No.3 Babar Khan Rahim Khan Pathan also

submitted that his daughter is residing happily with the applicants since last one year and there are no complaints of mis-behaviour or ill-treatment.

5. In view of above, continuation of proceeding would be an abuse of process of law since the applicants on one hand and the informant and his daughter on the other, have amicably settled the dispute between themselves, and the victim is now cohabiting with the applicants. In view of the same, the application stands allowed and F.I.R. bearing Crime No.391 of 2023, registered with Pathri Police Station, Taluka Pathri, District Parbhani under Sections 307, 323, 324, 498-A, 504, 506 read with Section 34 of the Indian Penal Code, Charge-sheet bearing No.266 of 2024 and consequent proceeding bearing Sessions Case No.118 of 2025 (earlier R.C.C. No.252 of 2024), are quashed and set aside.

6. Application is accordingly disposed of.

(MEHROZ K. PATHAN)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE