



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.703 OF 2023

1. Sayed Abdul Samad Abdul Khaleque
Age: 65 years, Occu.: Business,
2. Abdul Bari Abdul Mukhtadir Sayed
Age: 32 years, Occu.: Business,
3. Sayed Abdul Jabiulla Abdul Mukhtadir,
Age: 34 years, Occu.: Business,
4. Sayed Faijoddin Moinuddin,
Age: 33 years, Occu.: Business,

All R/o. Peth Mohalla, Parli Vaijnath,
Tq. Parli Vaijnath, District Beed.

.. Applicants

Versus

1. The State of Maharashtra
Through City Police Station Parli
Vaijnath, Tq. Parli Vaijnath,
District Beed.
2. Raisa Begum Sayyad Abdul Moiz,
Age: 50 years, Occu.: Household,
R/o. Peth Mohalla, Parli Vaijnath,
Tq. Parli Vaijnath, District Beed.

.. Respondents

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WITH

CRIMINAL WRIT PETITION NO.1371 OF 2023

1. Syed Abdul Moiz s/o Abdul Khaleq,
Age: 60 years, Occu.: Business,
R/o. Peth Mohalla, Parli Vaijnath,
District Beed.
2. Syed Raisa Begum w/o Syed Abdul Moiz,
Age: 47 years, Occu.: Household,
R/o. Peth Mohalla, Parli Vaijnath,
District Beed.

3. Syed Osama s/o Syed Abdul Moiz,
Age: 21 years, Occu.: Business,
R/o. Peth Mohalla, Parli Vajinath,
District Beed.
4. Syed Fahad s/o Syed Abdul Moiz
Age: 17 years, Occu.: Education,
Minor-under guardianship of father
(Petitioner No.1) R/o. Peth Mohalla,
Parli Vajinath, District Beed.

.. Petitioners

Versus

1. The State of Maharashtra
Through its Principal Secretary
Home Department, Mantralaya, Mumbai.
2. Syed Majid s/o Syed Moinuddin
Age: 46 years, Occu: Private Service,
R/o. Peth Mohalla, Parli Vajinath,
District Beed.

.. Respondents

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Mr. Majit S. Shaikh, Advocate for the applicants in Criminal Application No.703 of 2023 and for respondent No.2 in Criminal Writ Petition No.1371 of 2023.

Mr. Taher Ali Quadri, Advocate for the petitioners in Criminal Writ Petition No.1371 of 2023 and for respondent No.1 in Criminal Application No.703 of 2023.

Mr. G. A. Kulkarni, APP for respondent No.1/State in both the matters.

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

DATE : 29 JULY 2025

ORDER (Per Smt. Vibha Kankanwadi, J.) :-

. Present Criminal Application and Criminal Writ Petition are in respect of cross cases. The applicants in Criminal Application No.703 of 2023 are involved as accused in Regular Criminal Case No.346 of 2022 pending before the learned Judicial Magistrate First Class, Parli Vajinath,

District Beed arising out of the FIR vide Crime No.230 of 2022 dated 11.10.2022 registered with Parli City Police Station, District Beed for the offences punishable under Sections 354, 504 read with Section 34 of Indian Penal Code, whereas the petitioners in Criminal Writ Petition No.1371 of 2023 are the accused in Regular Criminal Case No.354 of 2022 pending before the same Court arising out of Crime No.228 of 2022 dated 09.10.2022 registered with same Police Station for the offences punishable under Sections 452, 327, 323, 348, 504, 506, 507 read with Section 34 of Indian Penal Code.

2. Both the sides have entered into compromise. They had filed the joint compromise terms which have been got verified through learned Registrar (Judicial) and he has filed the report on 21.07.2025.

3. Taking into consideration the facts in the case, it appears that the applicants and petitioners who are residing in the same vicinity had a fight on a trifle issue. Now, they want to keep good relations and the misunderstanding between them has been resolved with the intervention of elderly persons.

4. Taking into consideration the offences involved, there is no hurdle in allowing the quashment of the proceedings on the basis of compromise terms. Some of the offences are non compoundable and, therefore, it cannot be done before the trial Court. Therefore, we are

exercising our powers under Section 482 of the Code of Criminal Procedure. Hence, the following order is passed :-

ORDER

I) Criminal Application No.703 of 2023 as well as Criminal Writ Petition No.1371 of 2023 stand allowed.

II) The proceedings in Regular Criminal Case No.346 of 2022 pending before the learned Judicial Magistrate First Class, Parli Vajinath, District Beed arising out of the FIR vide Crime No.230 of 2022 registered with Parli City Police Station, District Beed, for the offences punishable under Sections 354, 504 read with Section 34 of Indian Penal Code, stands quashed and set aside as against the applicants in Criminal Application No.703 of 2023 viz. (i) **Sayed Abdul Samad Abdul Khaleque**, (ii) **Abdul Bari Abdul Mukhtadir Sayed**, (iii) **Sayed Abdul Jabiulla Abdul Mukhtadir** and (iv) **Sayed Faijoddin Moinuddin**.

III) The proceedings in Regular Criminal Case No.354 of 2022 pending before the learned Judicial Magistrate First Class, Parli Vajinath, District Beed arising out of Crime No.228 of 2022 dated 09.10.2022 registered with Parli City Police Station, District Beed for the offences punishable under Sections 452, 327, 323, 348,

504, 506, 507 read with Section 34 of Indian Penal Code, stands quashed and set aside as against the petitioners in Criminal Writ Petition No.1371 of 2023 viz. (i) **Syed Abdul Moiz s/o Abdul Khaleq**, (ii) **Syed Raisa Begum w/o Syed Abdul Moiz**, (iii) **Syed Osama s/o Syed Abdul Moiz** and (iv) **Syed Fahad s/o Syed Abdul Moiz**.

IV) Applicants/Petitioners in respective matters to deposit cost of Rs.10,000/- each with the High Court Legal Services Sub Committee, Aurangabad on or before 29.08.2025.

V) Place the matter for compliance on 02.09.2025.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm