



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 CRIMINAL WRIT PETITION NO. 1763 OF 2024

MOINODDIN @ SHAKER SIRAJJODIN QUAZI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioner : Mr. Patel Swapnil Bhushan
APP for Respondents: Mr. A. D. Wange
Advocate for Respondent No.3 : Mrs. S. D. More

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

DATED : 31st JANUARY 2025

PER COURT :-

1. Present Petition has been filed for quashing the FIR vide C.R. No.4 of 2019 dated 02.01.2019 registered with Cantonment (Chhavani) Police Station, District Aurangabad for the offences punishable under Section 452, 323, 504, 506 read with Section 34 of Indian Penal Code, 1860.

2. The petitioner who is original accused and respondent No.3 i.e. the original informant have entered into compromise and accordingly filed the settlement deed on 24.01.2025. It has been got verified through learned Registrar (Judicial). The petitioner and respondent No.3 have taken divorce by mutual consent. They have a child out of

their wedlock and it is settled between them that the custody of the child would remain with respondent No.3.

3. Taking into consideration the contents of the FIR and when the dispute has been settled, there is no hurdle in quashing the FIR.

4. Since the FIR appears to have been pending since long, we had directed the learned A.P.P. to make inquiry as to why the charge sheet has not been filed. Upon instructions, he makes a statement that the Investigating Officer had filed "A" Summary in 2020 itself. Thus, it would be dead wood pending and therefore the Petition stands allowed and disposed of.

5. The FIR vide C.R. No.4 of 2019 dated 02.01.2019 registered with Cantonment (Chhavani) Police Station, District Aurangabad for the offences punishable under Sections 452, 323, 504, 506 read with Section 34 of Indian Penal Code, 1860 stands quashed and set aside as against the petitioner.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

A.G.Narwade