IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1551 OF 2026

IKRAM KHAN (MOHAMMAD IKRAM KHAN ABDUL SAMAD KHAN) AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Shri Syed G R, Advocate for the Applicants.
Shri S.K. Shirse, APP for the Respondents/ State.
Shri Kazi Rahil Riyazoddin, Advocate for Respondent No.2.
...

WITH
CRIMINAL APPLICATION NO. 1800 OF 2026

MOHAMMAD HANIF MOHAMMAD ARIF AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Shri Kazi Rahil Riyazoddin, Advocate for the Applicants.
Shri S.K. Shirse, APP for the Respondents/ State.
Shri Syed G R, Advocate for respondent No.2.
...

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 29 October 2026

P. C. :-

1. There are cross FIRs between the parties of the same incident.

2. The applicants in Criminal Application

No.1551/2026 are seeking quashment of FIR No.22/2026 dated 30.01.2026 registered with the Beed City Police Station, Beed, for the offences punishable under Sections 74, 189(2), 191(2), 190, 333, 119(1), 115(2), 358, 324 (4) of the Bharatiya Nyaya Sanhita and Section 8 of the Protection of Children from Sexual Offences Act. Whereas, the applicants Criminal Application No.1800/2026 are seeking quashment of FIR No.20/2026 dated 29.01.2026 registered with the Beed City Police Station, Beed, for the offences punishable under Sections 25 and 4 of the Arms Act, 1959 and Sections 109(1), 118(2), 118(1), 115(1), 352, 189(2), 189(4), 190, 191(2) and 191(3) of the Bharatiya Nyaya Sanhita, 2023.

3. In pursuant to the order dated 19.06.2026, the parties remained present before the learned Registrar (Judicial) of this Court on 23.06.2026 and executed the terms of compromise. However, later on, it was found that the sole victim in FIR No.22/2026, who was aged about 17 years and 06 months at the time of incident, was not found to be present while executing the aforesaid terms of compromise and her signatures were also not appearing. Therefore, the learned advocate for respondent No.2

has filed on record the affidavit of the said victim.

4. Today, the learned advocate for respondent No.2 has tendered the copy of affidavit of the victim, dated 29.10.2026. Same is taken on record and marked as 'X' for identification.

5. It is stated that the victim has attained the age of 18 years as of now and therefore, she has sworn this affidavit on her own will. In the affidavit, she has candidly stated that she is not having any objection for allowing these applications for quashing of the FIRs and further proceedings pending before the learned Trial Court.

6. The learned advocate Shri G.R. Syed states that since the victim herself has tendered the affidavit before this Court, therefore, the instant FIRs and the consequential proceedings thereof, be quashed and set aside.

7. However, the learned APP has strongly opposed the request on the ground that the crime is not only against minor child, but it is also against the society at large. The State/ Police machinery was put in service and they have spent lot of time in investigating the crime and filing the charge-sheet. The learned

APP, therefore, submits that the consent of minor is not at all relevant for the purpose of quashing the FIR. He, therefore, prayed for dismissal of the instant criminal applications.

8. After going through the above submissions of the learned advocates for the parties and the affidavit tendered by the sole victim, it is significant to note that the present proceedings arise out of two cross FIRs registered at the instance of the rival parties in respect of the same incident. Thus, the allegations in both the FIRs are required to be considered in the backdrop of the rival versions of the incident and the subsequent developments. The sole victim in FIR No.22/2026 has now attained majority and has voluntarily approached this Court by filing an affidavit expressing her willingness for quashing of the proceedings. The said affidavit has been considered by this Court as one of the relevant circumstances along with the nature of the allegations, the material collected during investigation and the overall circumstances in which the cross FIRs came to be registered. In the peculiar facts and circumstances of the present case, this Court is of the view that continuation of the proceedings, despite the subsequent developments and the

position emerging from the material on record, would not advance the cause of justice. I am, therefore, of the view that it would be of no consequence to continue with the pending criminal proceedings against the applicants. However, in view of the submissions of the learned APP, certain costs need to be imposed on the applicants.

9. In view of the above discussion, both the Criminal Applications are allowed. Subject to deposit of costs of Rs.25,000/- (twenty five thousand) in each Criminal Application, by the applicants with the High Court Legal Services Sub Committee, Aurangabad, within two weeks from today, FIR No.22/2026 dated 30.01.2026 registered with the Beed City Police Station, Beed as well as FIR No.20/2026 dated 29.01.2026 registered with the Beed City Police Station, Beed, and the further consequential proceedings arising therefrom, are quashed and set aside.

kps (SUSHIL M. GHODESWAR, J.)