IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 CRIMINAL APPLICATION NO. 2996 OF 2026

Shiva Sukhdev Sathe
VERSUS
The State Of Maharashtra And Another
...
Mr. Wakale Vijay Shivaji, Advocate for the Applicant
Mr. D. J. Patil, APP for the Respondent-State
Mr. A. V. Kasane, Advocate for Respondent No.2/informant

CORAM : HITEN S. VENEGAVKAR, J.
Dated : 5th October, 2026

PER COURT :-

1. Heard the learned Advocate for the applicant, learned Advocate for respondent no.2 and learned APP for the State.

2. By the present application, the applicant is seeking quashment of the First Information Report bearing Crime No. 104 of 2024, dated 16.04.2024 registered with Begumpura Police Station, Aurangabad for the offences punishable under sections 376, 504 of the Indian Penal Code. As the charge-sheet has already been filed and the matter has been committed to sessions, the consequential proceedings pertaining to Special Sessions Case No. 74 off 2925 pending before the learned Additional Sessions Judge, Aurangbad alongwith all the orders passed therein and the charge-sheet are also sought to be quashed.

3. The informant, who was 24 years of age at the time of registration of offence, has alleged the commissioning of offence under section 376 against the present applicant. The FIR came to be

registered on 16.04.2024. After the registration of the FIR, the applicant and the original informant performed marriage on 05.05.2024. The marriage certificate dated 04.07.2024 is placed on record. Since then, the applicant and the informant are residing together as husband and wife and they are happily leading their matrimonial life.

4. The learned Advocate for the applicant and the learned Advocate appearing for the original informant jointly submit that as the parties are residing together as husband and wife and leading a peaceful matrimonial life, the informant has decided not to prosecute the alleged offence against the present applicant. They submit that the joint pursis of compromise was submitted before the learned Registrar (Judicial) of this court, which is forming the part of the report of the learned Registrar. In the said joint compromise, the facts of marriage is stated and they are happily residing together from the date of marriage as husband and wife has also been stated. The informant has thus, decided not to proceed with the alleged offence and, therefore, consented for the quashment of the present offence.

5. I have taken into consideration the report of the learned Registrar (Judicial) as well as the joint compromise filed on record. In view of the fact that the present applicant and the original informant have married with each other and are leading a peaceful and happy married life, I do not think that any fruitful purpose will be served by keeping the proceedings pending. No doubt, the alleged offence is

heinous and serious in nature, but, taking into consideration that the informant is now married wife of the applicant and their marriage life is going ahead successfully and happily, this Court is inclined to exercise its supervisory jurisdiction and quash the proceedings agist the present applicant. Hence, the following order:

O R D E R

(a) Criminal Application No. 2996 of 2026 stands allowed.

(b) First Information Report bearing Crime No. 104 of 2024, registered with Begumpura Police Station, Aurangabad for the offences punishable under sections 376, 504 of the Indian Penal Code, dated 16.04.2024 and consequential charge-sheet/ proceeding bearing Special Sessions Case No. 74 of 2025 pending on the file of learned Additional Sessions Judge, Aurangabad alongwith the order dated 22.11.2024 passed in the said proceedings are hereby quashed and set aside.

(d) No orders as to costs.

(HITEN S. VENEGAVKAR, J.)

JPChavan