IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 **CRIMINAL WRIT PETITION NO. 1297 OF 2026**

RAHUL PADMAKAR DARANDALE
Versus
THE STATE OF MAHARASHTRA AND ANOTHER

AND

927 **CRIMINAL WRIT PETITION NO. 1298 OF 2026**

RAHUL PADMAKAR DARANDALE
Versus
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Petitioner : Mr. K. N. Shermale
APP for Respondent - State : Mr. S. D. Ghayal
Advocate for Respondent No.2 : Mr. Swapnil Phatangare h/f. Mr. Sanket N. Suryawanshi

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 06th OCTOBER, 2026

PER COURT :

1. Heard learned Advocate for petitioner, learned APP for respondent – State as well as learned Advocate for respondent no.2.

2. The present both petitions are filed seeking quashment of the First Information Report (FIR) bearing No.0013 of 2026 and 1270 of 2024 registered with Topkhana Police Station, District Ahilyanagar for offences punishable under Sections 308(4), 352,

351(2), 3(5) of Bharatiya Nyaya Sanhita as well as the offence punishable under Sections 376(2)(N), 354-D, 384, 504, 506 of Indian Penal Code along and subsequent charge-sheet along with consequential proceedings arising therefrom.

3. Both the learned Advocates appearing for the parties submit that they have amicably settled the dispute among themselves. Respondent No.2 has agreed to give her consent for quashment of both the criminal proceedings lodged against the present applicant by her.

4. As a matter of practice, the parties were directed to appear before the learned Registrar (Judicial) of this Court for the purpose of verification of their identity as well as the contents of the compromise pursis. The report to that effect is submitted before this Court by order dated 21.09.2026, stating that the verification was completed. The in-camera statement of the victim is also recorded by the learned Registrar (Judicial). The report along with the said statement is also placed on record by the learned Registrar (Judicial), which has been perused by this Court.

5. Perusal fo the statement of the victim suggests that the parties have arrived at an amicable settlement and that the victim

has agreed to give her no objection to the quashment of the aforesaid proceedings. The statement records that the said consent is given subject to the condition that the applicant and his family members are put to strict direction that they will not cause any mental or physical harassment to respondent No.2 and that respondent No.2 shall not be defamed in society by them.

6. Taking into account the said statement and the apprehension that was expressed by respondent No.2 in her statement dated 21.09.2026, this Court had directed the applicant and his family members to file an undertaking in this Court stating that no harassment or defamation of respondent No.2 would be caused at their behest in future.

7. Learned Advocate for the applicant has today filed an affidavit dated 01.10.2026 of the applicant and all his family members, stating as under:

> *"We hereby undertake before this Hon'ble Court that we will not contact, defame or harass respondent No. 2 in future."*

8. The undertakings are taken on record in both the respective proceedings. Copies of the same are also taken on record

and marked as Exhibit "X" for the purpose of identification. Xerox copies of both the undertakings are also handed over to the learned Advocate for respondent No. 2.

9. Taking into consideration that the applicant and respondent No.2 have amicably settled the dispute and that respondent No.2 has agreed to give her no objection for quashment of the proceedings against the applicant, I am of the opinion that the inherent jurisdiction of this Court can be exercised in allowing the present application.

10. Learned APP has rightly pointed out that the applicant had previously been involved in one case, which was registered against him and was also settled by way of compromise with the victim in the same case. Therefore, learned APP apprehends that the applicant is a habitual offender and indulges in the same *modus operandi*.

11. The apprehension of the learned APP can be taken care of by directing the applicant to deposit a sum of Rs. 50,000/-. Out of which, Rs.25,000/- to be paid to the victim and Rs.25,000/- to be deposited in this Court, which can be then forwarded to the Government Cancer Hospital, Chhatrapati Sambhajinagar.

12. Learned Advocate for applicant shall produce receipt of both the payments made as above with the learned APP, and after affirms the same, the order will take effect.

13. In view of above, I proceed to pass following order :

ORDER

(i) The Criminal Writ Petition No.1297 of 2026 is allowed in terms of prayer Clause (B) and (C).

(ii) Criminal Writ Petition No. 1298 of 2026 is allowed in terms of prayer Clause (B).

(iii) Both Criminal Applications are disposed of.

(iv) The interim applications and interim reliefs, if any, stands disposed of.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale