IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4172 OF 2025

Vikesh Tolaram Chavan ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. S.P. Sonawane, Advocate for applicant
Mr. S.D. Ghayal, A.P.P. for respondent no.1 – State
Mr. V.A. Mundhe, Advocate for respondent no.2

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CORAM : HITEN S. VENEGAVKAR, J.
DATE : 07th OCTOBER, 2026

PER COURT :

1. Heard learned counsel for the applicant, learned A.P.P. for Respondent No.1 - State and learned counsel for Respondent No.2.

2. The present application is filed for quashment of the F.I.R. bearing Crime No. 580 of 2024 registered with Tuljapur Police Station, Dist. Dharashiv for the offences punishable under Sections 64(2)(m) and 69 the Bharatiya Nyaya Sanhita, 2023 alongwith the consequential filing of charge-sheet and Sessions Case No. 29 of 2025 pending on the file of learned Additional Sessions Judge, Osmanabad (Old) / Sessions Case No. 118 of 2026 pending on the file of learned Additional Sessions Judge, Tuljapur (New) with all the orders passed therein.

3. At the outset, learned counsel for both the parties submit that they have amicably settled the dispute amongst themselves and parties have performed marriage. They submit that the parties are happily staying together and have one child born out of the said wedlock.

4. I have perused the contents of the F.I.R. and also the affidavit in support of compromise between the applicant and Respondent No.2. The parties were relegated to the Registrar (Judicial) of this Court for the purpose of verification. Learned Registrar (Judicial) has submitted his report dated 29th July, 2026 affirming the verification and credentials of the present parties. Alongwith that, an affidavit in respect of compromise is also preferred before this Court which categorically submits that the parties have performed marriage and are now residing in a matrimonial home as husband and wife alongwith a child born out of the said wedlock. It is submitted that the offence was registered due to misunderstanding that the applicant will not marry Respondent No.2 inspite of the fact that she got pregnant from the physical relations maintained with him. Due to this misunderstanding she lodged the F.I.R. but subsequently the misunderstanding was clarified and both of them now married with each other and settled.

5. Taking into consideration that the parties have performed marriage and are living a happy married life, there is no reason that

prosecution should be kept pending and the applicant should be subjected to undergo the trial. In such circumstances, I am inclined to allow the application. Hence, the following order :-

ORDER

(I) Criminal Application is allowed.

(II) F.I.R. bearing Crime No. 580 of 2024 registered with Tuljapur Police Station, Dist. Dharashiv for the offences punishable under Sections 64(2)(m) and 69 the Bharatiya Nyaya Sanhita, 2023 alongwith the consequential filing of charge-sheet and Sessions Case No. 29 of 2025 pending on the file of learned Additional Sessions Judge, Osmanabad (Old) / Sessions Case No. 118 of 2026 pending on the file of learned Additional Sessions Judge, Tuljapur (New) with all the orders passed therein stand quashed and set aside.

(HITEN S. VENEGAVKAR, J.)

SSD