



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4225 OF 2024

BALAJI MANI MOOPANAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Vijay B. Patil
APP for Respondent-State : Mr. A. R. Kale
Advocate for Respondent No. 2 : Mr. P. M. Barde h/f Mr. Shailesh
S. Chapalgaonkar

CORAM : SACHIN S. DESHMUKH, J.

Date : 18th February, 2026

ORDER :-

1. The applicant has moved this Court seeking to quash the complaint presented by the respondent No. 2 i.e. the final report / charge-sheet bearing Regular Criminal Case No. 1572 of 2024 pending before the learned Judicial Magistrate First Class, Aurangabad, Dist. Aurangabad. This arise out of Crime No. 135 of 2023 dated 14.03.2023 for the offences punishable under Sections 409, 420 amd 427 read with 34 of the Indian Penal Codeand offences under Section 42 and 72 of the Information Technology Act registered with the MIDC Cidco Police Station, Dist. Aurangabad.

2. Raising an exception to the complaint, present proceeding has been presented under Section 482 of the CrPC.

3. The learned Counsel for applicant and the learned Counsel for Respondent No. 2 - informant submits that the parties have reached a mutual compromise and amicably settled the dispute. It is further submitted parties have amicably resolved all grievances in relation to the FIR through mutual intervention. The informant declares that the settlement was reached of his own free will, without any force, fear, or undue influence.

4. Admittedly, the present application is presented under Section 482 of the Code of Criminal Procedure, seeking to quash the FIR dated 14.03.2023, on the grounds that the informant and the applicant (Accused No. 1) have reached an amicable settlement. The informant has filed an affidavit stating that the dispute has been resolved.

5. A perusal of the record indicates that this Court by its order dated 04.11.2023 has already quashed and set aside the complaint against original accused No. 2. The same was granted under the Court's (Section 482 CrPC / Section 528 BNSS) following

a voluntary settlement or compromise reached between the parties.

6. At this juncture, it would be apt to reproduce the observations rendered by the Hon'ble Supreme Court in case of **Narindar Singh vs. State of Punjab [2014(2) MLJ (Cri) 365]**, as under :-

"28. Having said so, we would hasten to add that though it is a serious offence as the accused person(s) attempted to take the life of another person/victim, at the same time the court cannot be oblivious to hard realities that many times whenever there is a quarrel between the parties leading to physical commotion and sustaining of injury by either or both the parties, there is a tendency to give it a slant of an offence under Section 307 IPC as well. Therefore, only because FIR/Charge-sheet incorporates the provision of Section 307 IPC would not, by itself, be a ground to reject the petition under section 482 of the Code and refuse to accept the settlement between the parties. We are, therefore, of the opinion that while taking a call as to whether compromise in such cases should be effected or not, the High Court should go by the nature of injury sustained, the portion of the bodies where the injuries were inflicted (namely whether injuries are caused at the vital/delicate parts of the body) and the nature of weapons used etc. On that basis, if it is found that there is a strong possibility of proving the charge under Section 307 IPC, once the evidence to that effect is led and injuries proved, the Court should not accept settlement between the parties. On the other hand, on the basis of prima facie assessment of the aforesaid circumstances, if the High Court forms an opinion that provisions of Section 307 IPC were unnecessary included in the charge sheet, the Court can accept the plea of compounding of the offence based on settlement between the parties. "

7. In view of the aforesaid facts and precedents, it is evident that the informant and the applicant (accused No. 1) have reached an amicable settlement regarding the dispute. Considering the applicant's role, the dispute has been resolved, the parties have decided to maintain a cordial relationship. The continuance of these criminal proceedings, in light of the informant's resolute to resolve the issue, would lead to a futile trial and a definite abuse of the process of law. Therefore, I am inclined to exercise inherent powers under Section 482 of the Code of Criminal Procedure to meet the ends of justice and quash the proceedings against the applicant.

8. Accordingly, the application stands **allowed** in terms of prayer Clauses **(B)** to the extent of applicant / accused No. 1.

9. The impugned complaint i.e. the final report / charge-sheet bearing Regular Criminal Case No. 1572 of 2024 pending before the learned Judicial Magistrate First Class, Aurangabad, Dist. Aurangabad, arising out of Crime No. 135 of 2023 dated 14.03.2023 for the offences punishable under Sections 409, 420 and 427 read with 34 of the Indian Penal Code and offences under Section 42

and 72 of the Information Technology Act registered with the MIDC Cidco Police Station, Dist. Aurangabad, is hereby **quashed and set aside** to the extent of the applicant / accused No. 1 namely **Balaji Mani Moopnar**, subject to payment of costs of Rs. 25,000/- to be paid to the Government Cancer Hospital, Aurangabad within two weeks from today. Failure to comply with this condition shall result in the automatic revocation of this order.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi