



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 969 OF 2026

Rohit Sanjay Bhayekar And Others
VERSUS
The State Of Maharashtra And Another

WITH CRIMINAL APPLICATION NO. 475 OF 2025

Anita W/o Sanjay Bhayekar And Others
VERSUS
The State Of Maharashtra And Another

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Mr. S. V. Kurundkar, Advocate for Applicants
Ms. R. R. Tandale, APP for Respondent No.1
Mr. A. N. Patale, Advocate for Respondent No.2

CORAM : S. G. CHAPALGAONKAR, J
DATE : APRIL 16, 2026

PC:

1. The Applicants seeks to quash FIR No. 589/2025 and consequential proceedings in RCC No. 842/2025 pending before Chief Judicial Magistrate at Nanded for offences punishable under Sections 377, 498-A, 354, 504, 506 read with Section 34 of the Indian Penal Code.

2. The Criminal Application No. 475/2025 was initially filed by in all four accused persons i.e. father and mother-in-law, sister-in-law of Informant and her husband. However, at first hearing while issuing notices, this Court expressed disinclination to entertain application on behalf of father and mother-in-law of Informant. Accordingly, it was dismissed as withdrawn, whereas, entertained to extent of sister-in-law and her husband.

3. During pendency of said application, Applicant and Respondent No. 2 arrived at amicable settlement. The Respondent No. 2 and her husband filed Petition No. F-15/2026 under Section 13(B) of the Hindu Marriage Act, 1955 before Family Court at Nanded for dissolution of marriage by mutual consent. Paragraph 8 of Hindu Marriage Petition No. 15/2026 shows that matrimonial dispute between Respondent No. 2 and her husband is genuinely settled and amount of Rs.16 lakhs has been deposited with Family Court, which is to be released at time of passing final decree in Hindu Marriage Petition No.15/2026. In paragraph 9, Respondent No.2/Informant agreed that she will give consent for quashment of criminal proceedings in RCC No. 842/2025 pending before CJM, Nanded.

4. In deference to aforesaid settlement, Criminal Application No. 969/2026 is filed on behalf of father-in-law, mother-in-law and husband of Informant. On 09.04.2026, learned Advocates appearing for Applicants and Respondent No. 2/Informant submitted that parties have arrived at amicable settlement of dispute and wish to place on record terms of settlement/affidavit. On same day, they appeared before Registrar (Judicial) of this Court along with their Advocates. The parties have also tendered terms of compromise before this Court, which are duly signed by accused/Applicants as well as Informant/Respondent No. 2, wherein they have repeated averments regarding filing of proceedings for divorce by mutual consent and amicable settlement arrived in between them. It is stated in paragraph 4 that in view of settlement between accused and Respondent No.2/Informant, she has no objection to quash and set aside proceedings in RCC

No. 842/2025 and allow Criminal Application Nos. 969/2026 as well as 475/2025.

5. The learned APP strongly opposes for quashing of proceedings by consent of parties on ground that there are serious allegations in FIR whereby offences under Sections 377, 498-A, 354, 504, 506 read with Section 34 of the Indian Penal Code can be made out. Apparently allegations in FIR and charge-sheet are made in wake of matrimonial dispute between Applicant/Husband and Respondent/Wife, however, in view of amicable settlement, allegations made in FIR are withdrawn.

6. In this backdrop, reference can be given to observations of Supreme Court in case of *Narinder Singh and Others Versus State of Punjab and another*, (2014) 6 SCC 466, which reads thus:

31. Where criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.

7. In light of aforesaid exposition of law by Supreme Court, this Court holds that case is made out to exercise inherent powers and quash FIR No. 589/2025 and consequential proceedings in RCC No. 842/2025. In result, both Criminal Applications are allowed in terms of prayer clauses “B, B-1, B-2, C & D”,

respectively. The FIR No. 589/2025 and consequential proceedings in RCC No. 842/2025 pending before Chief Judicial Magistrate at Nanded for offences punishable under Sections 377, 498-A, 354, 504, 506 read with Section 34 of the Indian Penal Code are hereby quashed and set aside subject to condition that Applicants' deposit cost of Rs.25,000/- (Rupees Twenty Five Thousand Only) with Government Cancer Hospital, Chhatrapati Sambhajinagar within a period of four weeks from today.

(S. G. CHAPALGAONKAR, J.)

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