

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO.1826 OF 2025

Musdik Shafik Maniyar,
Age 22 years, Occupation – Education,
R/o. Mondha Naka, Georai,
Tq. Georai, Dist. Beed. ..Applicant

VERSUS

1. The State of Maharashtra,
Through Police Inspector,
Police Station, Georai,
Tq. Georai, District Beed.
2. Priti D/o Satyanarayan Bhutada,
Age : 23 years, Occu : Education,
R/o. R/o. Mondha Naka, Georai,
Tq. Georai, Dist. Beed. ..Respondents

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Mr. S.G. Kawade, Advocate for Applicant.
Mr. S.A. Gaikwad, APP for Respondent/State.
Mr. S.S. Palnitkar, Advocate for Respondent No.2.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : FEBRUARY 11, 2026

FINAL ORDER :-

1. Present application is filed with following prayers :

*“B) This Hon'ble Court may be pleased to quash and set aside the proceeding in Sessions Case No. 89/2023 pending before the Ld. Addl. Sessions Judge, Beed, in pursuant to the F.I.R. bearing its Crime No. 543/2022 dated 08.11.2022 offence under Section 366, 419, 420, 506 of Indian Penal Code registered with Georai Police Station, Tq. Georai, District Beed and for that purpose issue necessary orders;
C-1] This Hon'ble Court may be pleased to quash and set aside the issue summons order dated 10.01.2023 passed by the Ld. 4th C.J.J.D and J.M.F.C. Georai, and for that purpose issue necessary orders;”*

2. The investigation was set in motion on the basis of information given by respondent no.2 alleging that she was pursuing her education at Latur and preparing for NEET examination. Applicant came in her contact. They had usual conversations through cell phone. The applicant offered her to marry under pretext that both belongs to same community. She was also interested in proposal. However, her father refused marriage proposal.

3. On 07.11.2022, she had been to Latur along with applicant with intention to marry. When she checked documents like Aadhar Card and educational qualifications of applicant, she noted that applicant belongs to different religion. She refused to marry him. Finally, police authorities nabbed her and took to Georai. The aforesaid information culminated into registration of Crime No.543 of 2022. Eventually, on completion of investigation, charge sheet has been filed for offence punishable under Section 366, 419, 420, 506 of Indian Penal Code. On committal, Sessions Case No.89 of 2023 is pending trial before Sessions Judge at Beed.

4. Today, learned advocate appearing for applicant and respondent no.2 jointly submitted before this Court that parties have amicably settled dispute. They were relegated to Registrar (Judicial) of this Court for verification. They tendered compromise/settlement deed, which records that both parties have mutually decided to focus on their career and not to proceed with prosecution. The respondent

no.2 has given no objection to quash proceedings particularly in light of undertaking given by applicant that he would not disturb privacy of informant or would not attempt to meet, communicate or establish contact with her. The deed of compromise is signed by applicant and respondent no.2. They were identified before learned Registrar (Judicial) by respective counsels representing them. The learned Registrar (Judicial) submitted report stating that both parties admitted contents of compromise deed to be true and correct and voluntary in nature.

5. Apparently, parties have decided to maintain harmony and bury the dispute. The applicant and respondent no.2 are young aged persons. They committed respective acts without criminal intent. The respondent no.2 had voluntarily accompanied applicant with intention to marry him. However, she changed her mind. It is not the case where respondent no.2 was compelled or induced for marriage. The material in charge sheet suggests that applicant and respondent no.2 had developed affinity and decided to marry. However, for social and cultural reasons, they decided to depart and end their relationship. The respondent no.2 has voluntarily withdrawn allegations. In light of aforesaid factual aspects, there are no chances of securing conviction on trial. Proceeding in trial would be abuse of process of law and wastage of judicial time. Hence, keeping in mind aforesaid circumstances and law laid down by Hon'ble Supreme Court

in cases of *Gian Singh Vs. State of Punjab and Another* reported in *(2012) 10 SCC 303* and *Narinder Singh and Others Vs. State of Punjab and Another* reported in *(2014) 6 SCC 466*, case is made out to exercise jurisdiction under Section 482 of Cr.P.C. (Section 528 of BNSS, 2023).

6. At this stage, Mr. Gaikwad, learned APP submits that investigation machinery was unnecessarily exerted till filing of charge sheet. Now for some reasons, respondent no.2 has decided to withdraw allegations. In this background, appropriate cost may be imposed. There is substance in contention of learned APP.

7. In that view of matter, looking to age of accused and other circumstances, following order is passed :

ORDER

(I) Criminal Application is allowed in terms of prayer clause (B) and (C-1), subject to condition that applicant deposits/pays cost of Rs.10,000/- to Government Cancer Hospital, Chhatrapati Sambhajnagar within eight weeks from date of this order.

(S.G. CHAPALGAONKAR, J.)