

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1950 OF 2025

Rajendra Narayan Patil And Others

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicants : Mr. Patil Ujwal Subhash

APP for Respondent/State : Mr. S.D. Ghayal

Advocate for Respondent No.2 : Mr. A.R. Syed h/f Mr. S.P. Pandit

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : JANUARY 22, 2026

PER COURT :-

1. Present application is filed for quashment of PWDVA No.184 of 2024 pending before Judicial Magistrate First Class, Chalisgaon under provisions of Domestic Violence Act, 2005.

2. On 09.12.2025, the matter was referred for mediation with a view to explore possibility of amicable settlement. Accordingly, parties appeared before Mediator. The Mediator submitted the report to this Court stating that parties have arrived at amicable settlement. The terms of such settlement are also made part of mediation report. The consent terms are signed by respective parties. Mr. Devendra Patil i.e. husband of respondent no.2 and respondent no.2 have agreed for divorce with mutual consent. Accordingly, agreed not to continue proceedings filed against each other including PWDVA No.184 of 2024 filed under Domestic Violence Act, 2005 before Judicial Magistrate First Class at Chalisgaon. The mediation

report and terms of settlement are taken on record and marked as 'X' for identification.

3. In light of law laid down by the Hon'ble Supreme Court in the case of Shaurabh Kumar Tripathi Vs. Vidhi Rawal in Criminal Appeal No.2688 of 2025 decided on 19.05.2025 particularly para 39, which reads thus :

“39. To conclude, the view taken in the impugned order of the High Court that a petition under Section 482 of the CrPC for challenging the proceedings emanating from Section 12(1) of the DV Act, 2005 is not maintainable, is not the correct view. We hold that High Courts can exercise power under Section 482 of CrPC (Section 528 of the BNSS) for quashing the proceedings emanating from the application under Section 12(1) of the DV Act, 2005, pending before the Court of the learned Magistrate. However, considering the object of the DV Act, 2005, the High Courts should exercise caution and circumspection when dealing with an application under Section 12(1). Normally, interference under Section 482 is warranted only in the case of gross illegality or injustice.”

4. The inherent powers of this Court can be exercised even for quashment of proceedings under Domestic Violence Act. In light of aforesaid legal and factual position and amicable settlement arrived between the parties, application is allowed in terms of prayer clause (A).

(S.G. CHAPALGAONKAR, J.)