



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2606 OF 2025

1. Yogesh s/o. Govindrao Mekhe
Age: 35 years, occu. Business
R/o. Dhondipura, Sarafa Galli,
Beed Tq. & Dist. Beed.
 2. Venktesh s/o. Govindran Mekhe
Age: 42 years, Occu. Business,
R/o. Dhondipura, Sarafa Galli, Beed
Tq. & Dist. Beed.
 3. Sai S/o. Venktesh Mekhe
Age: 16 years, Occu, Education
U/g. Venktesh s/o Govindrao Mekhe
R/o. Dhondipura, Sarafa Galli,
Beed Tq. & Dist. Beed.
- ...Applicants

Versus

1. The State of Maharashtra
Through: Police Inspector. of City Police Station
Beed, Tq. & Dist. Beed.
 2. Kartik s/o Nagnath Tak
Age: 26 years, occu. Business
R/o. Datta Mandir Galli,
Beed, Tq. & Dist. Beed.
- ...Respondents

- Mr. A. L. Kanade, Advocate for the Applicants
- Ms. R. R. Tandale, APP for the Respondent/State
- Mr. Moinpasha Shaikh Farid, Advocate for Respondent No.2

CORAM : S. G. CHAPALGAONKAR, J
DATE : APRIL 18, 2026

FINAL ORDER :

1. The Applicants seeks quashment of FIR No. 54/2025 dated
08.04.2025 registered with City Police Station, Beed for offences

punishable under Sections 302, 109, 118(1), 118(2), 115(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short '**BNS**')

2. On 18.08.2025, learned Advocates appearing for Applicants and Respondent No.2 submit that parties have arrived at amicable settlement of dispute and they want to place terms of such settlement on record. Accordingly, they were permitted to remain present before Court on 04.09.2025 and appear before Registrar (Judicial) of this Court for verification. On 15.09.2025, Registrar (Judicial) of this Court forwarded report stating that parties admitted signatures on compromise deed and they have stated that they have signed said document voluntarily without any force or fraud being played on them. In this backdrop, this Court had directed learned APP to place on record investigation papers, more particularly, medical papers considering nature of injuries suffered by victim in present case.

3. The learned APP placed on record documents collected during course of investigation. The medical certificate of injured Nagnath Laxman Tak shows that he suffered 3 CLW and 1 abrasion. All injuries are simple in nature and attributed against use of hard and blunt object. 2nd injured Kartik Nagnath Tak suffered 3 CLW, all are simple in nature.

4. The perusal of FIR shows that incident occurred on account of trifle reason. It is alleged that while informant was cleaning his shop and pouring water, some drops went on staircase of shop of accused persons, which is on opposite side. For aforesaid reason, there was exchange of abuses and then accused Yogesh assaulted informant and other injured persons.

5. The accused persons appears to be neighbors of each other and they have amicably settled dispute. From nature of allegations in FIR, statements of charge-sheet and nature of injuries suffered by victim, this Court finds that offence under Section 109 of BNS would not attract. There is nothing to show that assault was made with intention and intensity to kill, which is prime ingredient to make out said offence. As such, at the most, offence under Section 118(1) of BNS may attract in present case. There is nothing on record to show that there are criminal antecedents against accused persons. Now, informant and injured witnesses have voluntarily given affidavit stating that they have amicably settled dispute and having no interest to prosecute criminal case against Applicants.

6. At this stage, learned APP submits that on basis of FIR, investigation is carried out and charge-sheet is filed so also investigating machinery as well as judicial time has been consumed. In

this backdrop, some cost may be imposed, if Court considers to quash FIR and consequential proceedings.

7. In that view of matter, this Court finds that case is made out to exercise inherent powers to quash and set aside FIR and consequential proceedings. In result, Criminal Application is allowed in terms of prayer clauses 'B', 'B-1' & 'B-2' subject to payment of cost of Rs.5,000/- (Rupees Five Thousand Only) by each Applicants to SAKAR (Society for Adoption Knowledge Awareness and Resource), 177, Ajmera Complex, Main Road, Jyoti Nagar, New Osmanpura, Chhatrapati Sambhajanagar. Compliance to be reported within three weeks to this Court from date of order.

(S. G. CHAPALGAONKAR, J.)

Umesh