



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3354 OF 2025

Prasad S/O Bhaiyyasaheb Desai And Others

VERSUS

The State Of Maharashtra And Another

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Mr. T. A. Quadari, Advocate for Applicants

Mr. S. K. Shirse, APP for Respondent No.1

Ms. M. R. Dahat, Advocate for Respondent No.2

CORAM : S. G. CHAPALGAONKAR, J

DATE : MAY 07, 2026

PC:

1. The Applicants seek to quash FIR N. 274/2024 dated 06.08.2024 registered with Jalgaon Taluka Police Station, Jalgaon for offences punishable under Sections 85, 115(2), 351(2), 316(2), 318(4), 336(2), 336(3), 338, 340(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023 and by way of amendment, Applicants seek quashment of charge-sheet no. 131/2025 and consequential proceedings in RCC No. 764/2025 pending before Judicial Magistrate First Class, Jalgaon. Applicants have also raised challenge to order dated 09.09.2025 issuing process against Applicants.

2. On 24.04.2026, learned Advocates appearing for respective parties submitted before this Court that parties have amicably settled matrimonial dispute and decree of divorce has been passed. On 06.05.2026, parties appeared before Registrar (Judicial) of this Court and tendered terms of settlement in form of affidavit. Apparently, marriage between Applicant No. 1 and Respondent No. 2 has been dissolved by way of a decree passed by Family Court, Jalgaon in Petition No.

A-66/2025. Out of Rs.20,00,000/-, amount of Rs. 10,00,000/-in lieu of permanent alimony is already paid to Respondent No. 2 and Rs. 10,00,000/- is deposited in Family Court, which is payable to Respondent No. 2 after disposal of this Application. She has no objection to quash FIR and consequential proceedings as dispute is amicably settled.

3. In result, this Court find that there is genuine and amicable settlement between parties. At this stage, reference can be given to observations of Hon'ble Supreme Court in case of ***Narinder Singh and Others Vs. State of Punjab and another*** reported in (2014) 6 SCC 466, particularly para 31 which reads thus :

“31. Where criminal cases having overwhelmingly and pre-dominantly 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.”

4. In that view of matter and in light of law laid down by Hon'ble Supreme Court in case of ***Narinder Singh*** (supra) and looking to nature of dispute and no objection given by Respondent No. 2, case is made out to exercise inherent powers to quash and set aside FIR, charge-sheet and consequential proceedings.

5. In result, Criminal Application is allowed in terms of prayer clauses 'B' and 'B-1'.

(S. G. CHAPALGAONKAR, J.)

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