



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

931 CRIMINAL APPLICATION NO. 3517 OF 2025

1. Shadab Ali s/o Mubarak Ali (Husband)
Age-28 years Occ. Private service/job
R/o- RH-2, Asmeera Township, Mohanlal Nagar,
opp. Collector office, Aurangabad.
2. Mubarak Alis/o Miyajan (Father-in-law)
Age-55 years Occ. Labourer
R/o- Pathan Pura Risod, Ta. Risod, Dist. Washim
3. Shahista w/o Mubarak Ali (Mother-in-law)
Age-50 years Occ. Household
R/O- Pathan Pura Risod,
Ta. Risod, Dist. Washim
4. Arslan s/o Mubarak Ali (Brother-in-law)
Age-25 years Occ. Student
R/o- Pathan Pura Risod,
Ta. Risod, Dist. Washim
5. Neha Parvin w/o Shaikh Rafique (Sister-in-law)
Age-30 years Occ. Household
C/oShaikh Rafique, s no. 4/2, plot no. 40/P,
behind Al washing centre,Nahid Nagar,
Kat-kat gate, Aurangabad.
6. Amina d/o Mubarak Ali (Sister-in-law)
Age-21 years Occ. Student, R/o- Pathan Pura Risod,
Ta, Risod, Dist. Washim. Applicants.

VERSUS

1. State of Maharashtra,
Through investigation officer, Police Station
Mantha, Dist. Jalna.
2. Sana w/o Shadab Ali (Complainant)
R/o C/o Jaan Mohammad Khan, Mominpura,
behind Aman Complex, near Mehman Khana,
at Mantha Tq. Mantha, Dist, Jalna. Respondents

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Advocate for Applicants : Mr. Shaikh Abid R
APP for Respondents: Mr. C.V. Bhadane
Advocate for respondent no.2 : Mr. Shaikh Ashraf Patel
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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 05, 2026

FINAL ORDER :-

1. The applicants seeks quashment of the FIR in crime no.0456 of 2025 dated 6.8.2025 registered at Mantha Police Station, District Jalna for the offence under sections 115(2), 3(5), 351(2), 351(3), 352, 85 of the Bhartiya Nyaya Sanhita, 2023.
2. Today, learned advocate appearing for the applicants and respondent no.2/informant made joint statement that parties have arrived at amicable settlement and respondent no.2 has filed affidavit-in-reply, wherein she admits that she has settled matrimonial dispute with the applicants and she is happily residing with applicant no.1. An affidavit to that effect is tendered on record of this Court which is marked as 'X' for identification.
3. Parties were relegated to the Registrar (Judicial) of this Court. Applicant no.1 and respondent no.2 presented

themselves before Registrar (Judicial) of this Court. Respondent no.2 admitted contents of the affidavit to be true and correct. She admitted her signatures thereon. Apart from aforesaid affidavit, a copy of joint settlement/compromise terms that was tendered in R.C.S No.901 of 2025 between applicant no.1 and respondent no.2 is filed on record, wherein respondent no.2 has stipulated that due to misunderstanding and emotional stress, she has lodged the FIR in crime no.456 of 2025 under section 498-A of IPC and also filed proceeding for Domestic Violence Act. She admits that, she give up the allegations and undertook to withdraw criminal and civil proceedings filed by her. Aforesaid sequence of evidence clearly shows that parties have amicably settled the dispute.

4. In aforesaid backdrop, reference can be given to observations of the Hon'ble Supreme Court of India in case of **Narinder Singh and Others Versus State of Punjab and another** reported in **(2014) 6 SCC 466**. In paragraph no.31 it is observed as under :-

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.”

5. Applying aforesaid principles of law to facts of the present case, although offence punishable under section 498-A is non-compoundable, looking to nature of dispute between the parties and amicable settlement, case is made out to invoke inherent powers under section 428 of the BNS.

6. In the result, the application is allowed in terms of prayer clause **“B”**. Criminal application stands disposed of.

(S. G. CHAPALGAONKAR, J.)

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