



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

976 CRIMINAL APPLICATION NO. 3656 OF 2025

VISHNU PANDITRAO RODGE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. S. J. Salunke, Advocate for Applicant

Mrs. A. S. Mantri, APP for Respondent/State

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 13th JANUARY, 2026

P C. :-

1. The present Criminal Applicant seeks quashment of FIR dated 30.04.2025 in Crime No. 115 of 2025, registered with Kranti Chowk Police Station, District Chhatrapati Sambhajinagar for offences punishable under Sections 75(1)(ii), 78(1)(i) of Bhartiya Nyaya Sanhita, 2023 and consequential proceeding in R.C.C. No. 1925 of 2025 pending before Chief Judicial Magistrate, Chhatrapati Sambhajinagar.

2. On report given by Respondent No.2, investigation was set in motion. She is working as Divisional Deputy Registrar of Co-operative Society at Aurangabad. Applicant/accused is also serving in department of Co-operation. It is alleges that Applicant/accused insulted informant on the basis of her caste. He forwarded messages with explicit sexual

overtures. Pursuance to the said report, Crime No. 115 of 2025 was registered with Kranti Chowk Police Station, Chhatrapati Sambhajnagar for offences punishable under Sections 75(1)(ii), 78(1)(ii) of Bhartiya Nyaya Sanhita, 2023 and under Sections 3(1)(w)(i), 3(1)(w)(ii), 3(1)(r) and 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. Deference to registration of crime, investigation was carried and charge-sheet has been filed. At present R.C.C. No. 1925 of 2025 is pending before Chief Judicial Magistrate.

4. The Informant and Applicant have arrived at an amicable settlement of dispute. They tendered compromise pursis before this Court. Eventually, they were referred to Registrar (Judicial) for verification of terms of compromise. Learned Registrar (Judicial) submitted his report stating that parties have put their signatures on compromise pursis and admitted contents as true and correct. They affirmed that they have voluntarily entered into compromise without force or fraud.

5. In the aforesaid background, reference can be made to the observations of the Hon'ble Supreme Court in case of ***Gian Singh vs State Of Punjab & Anr*** reported in ***(2012) AIR SCW 303*** and ***Narinder Singh &***

others vs. State Punjab and another reported in (2014) SCC 466, wherein in Gian Singh's case it is observed by the Hon'ble Supreme Court that "certain offences which overwhelmingly and predominantly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions or the offences arising out of matrimony, particularly relating to dowry, etc. or the family dispute, where the wrong is basically to victim and the offender and victim have settled all disputes between them amicably, irrespective of the fact that such offences have not been made compoundable, the High Court may within the framework of its inherent power, quash the criminal proceeding or criminal complaint or F.I.R if it is satisfied that on the face of such settlement, there is hardly any likelihood of offender being convicted and by not quashing the criminal proceedings, justice shall be casualty and ends of justice shall be defeated."

6. In case of *Narinder Singh* (supra), the Hon'ble Supreme Court has laid down further guidelines in paragraph no.31 of the judgment and observed that "where criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship 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.”

7. In light of aforesaid observations, if allegation in FIR and contents of charge-sheet are taken into consideration, apparently there was personal dispute between parties. They have genuinely settled dispute. The continuation of criminal proceeding against Applicant would amount to an abuse of process of law and wastage of judicial time of Court. Further during course of investigation it is revealed that offences under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act are not made out. Therefore charge-sheet has been filed only for the offences punishable under Bhartiya Nyaya Sanhita.

8. At this stage, learned APP submits that although Applicant and Respondent No.2 arrived at an amicable settlement of dispute, the investigation machinery had been sufficiently exerted till filing of charge-sheet, hence some costs needs to be imposed. At this stage learned Advocate appearing for Applicant voluntarily deposited cost of Rs.20,000/- on behalf of Applicant with Advocates' Association Bar

Library, High Court, Aurangabad.

9. In that view of the matter, following order is passed:

ORDER

(i) Criminal Application No. 3656 of 2025 is allowed.

(ii) FIR No. 115 of 2025 registered with Kranti Chowk Police Station, District Chhatrapati Sambhajinagar for offences punishable under Sections 75(1)(ii), 78(1)(i) of Bhartiya Nyaya Sanhita, 2023 and consequential proceeding in R.C.C. No. 1925 of 2025 is hereby quashed and set aside.

(S. G. CHAPALGAONKAR, J.)

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