



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

CRIMINAL APPLICATION NO.4332 OF 2025

Laxman s/o Baburao Bedaskar,
Age: 53 years, Occ. Service,
R/o. Umari Road, Samta Nagar,
Kaij, Tq. Kaij, Dist. Beed.

..Applicant

Versus

1. The State of Maharashtra,
Through Police Inspector,
Police Station Kaij, Tq. Kaij,
Dist. Beed.

2. XYZ

..Respondents

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Mr. Rajendra Deshmukh, Senior Advocate a/w Mr. Harshal Nandre i/b
Mr. S.R. Kedar, Advocate for the Applicant.
Mr. C.V. Bhadane, APP for Respondent-State.
Mr. G.K. Ulle, Advocate for Respondent No.2.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : MARCH 05, 2026.

FINAL ORDER:-

1. The applicant seeks quashment of FIR dated 19.09.2025 bearing No.509/2025 registered with Kaij Police Station, Dist. Beed for the offence punishable under Sections 74, 75(1), 75(2), 351(2) of Bharatiya Nyaya Sanhita, 2023 and Section 8 and 12 of Protection of Children From Sexual Offences Act, 2012.

2. The investigation was set in motion on the basis of information given by respondent no.2 aged about 16 years alleging that she is taking education and residing along with her mother and brother. Her father contracted second marriage and resides at different

place. It is alleged that on 18.09.2025, while she was proceeding along with Maya Meghwal/maternal aunt to bring birthday cake, applicant who was acquainted with her maternal aunt arrived at spot in a swift car and offered tea to her maternal aunt. Accordingly, all of them boarded in car of applicant. He took car in open space. He was sitting on front seat of car, suddenly he caught hold her hand, pulled her and touched her chest with bad intention. The informant, her maternal aunt and her daughter screamed. At same time, another car arrived at the spot. The applicant ran away with his car. Her mother and one Balu contractor alighted from other car. Thereafter, they lodged the report.

3. The mother of respondent no.2 filed affidavit in reply stating that she or her daughter never met with applicant. The FIR is lodged due to misunderstanding and misconception. She states that she was present at hearing of bail application before Sessions Court. She tendered her no objection for grant of bail. She states that she has no objection to allow the application. In aforesaid backdrop, applicant and respondent no.2 were relegated to learned Registrar (Judicial) of this Court for verification and identification of parties, who submitted his report stating that informant/respondent no.2 who was personally present before him accepts contents of affidavit to be true and correct.

4. In this backdrop, Mr. Rajendra Deshmukh, learned senior advocate appearing for applicant submits that applicant who is Block

Education Officer on establishment of Zilla Parishad, Nanded has been falsely implicated in aforesaid crime when he showed disinclination to pass favourable posting orders sought by some of employees. He points out that although alleged incident took place on 18.09.2025 at 08.00 pm, the FIR is lodged on 19.09.2025 at about 04.00 pm. In bail application filed by applicant before Sessions Judge, the informant along with her mother were present and gave no objection for grant of pre-arrest bail. Even before this Court, an affidavit is filed explaining circumstances leading to registration of offence and giving no objection for quashment of FIR and further proceedings. Mr. Deshmukh would submit that the incident as alleged in FIR if looked in light of attending circumstances would show that completely false and concocted story was cooked.

5. Perusal of statement of Maya Dashrath Meghwal/foster aunt of victim, who was accompanying the victim in car nowhere states that incident as alleged in FIR took place. On the other hand, she states that when car reached spot applicant had quarrel with one Mukadam Balu Sathe. Thereafter, applicant left the place. Except Maya Meghwal, there is no other eye witness of incident. She was in car with victim at the time of incident. The statement of victim's mother is based on hearsay information. Even otherwise, it is not possible that a person sitting on driver's seat in car would misbehave with minor girl in presence of her maternal aunt. The allegations in

FIR appears to be absurd and inherently improbable. Apparently, the averments in her statement nowhere supports allegations made out in FIR. Now victim and her mother states that FIR was lodged due to misunderstanding. The possibility that FIR has been lodged due to misunderstanding or on instigation of any other person and applicant has been falsely implicated for some other reason cannot be ruled out. The informant and her mother have now consented for quashing for FIR and proceedings. This Court finds that Clause No.5 in para 102 in case of ***State of Haryana and Ors Vs. Bhajanlal and Ors*** reported in ***1992 Supp (1) SCC 335*** squarely covers present case, which reads thus:

“(5) Where the allegations made in the FIR or complaint are so absurd and inherently improbable on the basis of which no prudent person can ever reach a just conclusion that there is sufficient ground for proceeding against the accused;”

6. In view of aforesaid observations, case is made out to exercise inherent powers of this Court, hence, application deserves to be allowed and same is allowed in terms of prayer clause (B) and (B-1).

(S. G. CHAPALGAONKAR, J.)