



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 CRIMINAL APPEAL NO. 662 OF 2025

VIJAY MADHAVRAO CHINCHPURE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

....

Mr. Sandeep Rebari h/f Mr. Chaten Chaudhari, Advocate for the
Appellant

Mr. K. S. Patil, APP for Respondent No.1 – State

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CORAM : Y. G. KHOBRAGADE, J.

DATE : February 06, 2026

PER COURT :-

1. Heard the learned counsel for the appellant and the
learned APP for respondent No.1 – State. None present for
respondent No.2 though served.

2. By the present appeal, the appellant / accused takes
exception to the order dated 24.06.2025, passed by the learned
Additional Sessions Judge, Jalna, below Exh.1 in Criminal Bail
Application No.560 of 2025, whereby the trial Court declined to
release the present appellant / accused on pre-arrest bail in

connection with Crime No.0240 of 2025, registered with Bhokardan Police Station, District Jalna, for the offence punishable under Sections 115(2), 281, 351(2), 351(3), 352 of Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. On 04.09.2025, this Court passed an order and granted ad-interim protection from pre-arrest of the accused for the said offence on execution of S.B. and P.B., as well as on other conditions.

4. It has been brought on record that during pendency of the present appeal, the appellant / accused and respondent No.2 / informant entered into a compromise and settled the dispute. Therefore, the present appellant had filed Criminal Application No.2856 of 2025 (Vijay Madhavrao Chinchpure Vs. The State of Maharashtra and another) before this Court. On 19.12.2025, the Division Bench of this Court passed the order and quashed the F.I.R. / Crime No.0240 of 2025, registered with Bhokardan Police Station on the ground of settlement between the appellant and the respondent No.2 / informant.

5. In the case of *Ramgopal and another Vs. The State of Madhya Pradesh*, [(2022) 1 Mh.L.J. (Cri) 291], it is observed that having regard to the nature of the offence and parties have amicably settled their dispute and the victim has willingly consented to the nullification of criminal proceedings, the High Court can exercise its inherent powers under Section 482 of the Code of Criminal Procedure even if the offences are not compoundable.

6. In case of *Ramawatar vs. State of Madhya Pradesh*, (2022) 13 SCC 635 the same view has been reiterated by referring the earlier aforesaid judgment. It has been specifically observed as follows:

“We, however, put the further caveat that powers under Article 142 or under Section 482 of Cr.PC. are exercisable in post conviction matters only when an appeal is pending before one or the other Judicial forum. This is on the premise that an order of conviction does not attain finality till the accused has exhausted his / her legal remedies and the finality is subjudice before an appellate court. As such now the pendency of criminal proceedings before the final court is sine qua non to involve the superior Court’s plenary powers to do complete justice.”

7. The full Bench of the Allahabad High Court in the case of *Ghulam Rasool Khan And Others Vs. State of U.P. and Another*, 2022

(8) *ADJ 691*, reveals that a matter under the SC/ST Act may be compounded in a criminal appeal under section 14-A(1) of SC/ST Act and there is no need to take recourse of U/s. 482 for the same.

8. In the case in hand, the appellant / accused and the respondent No.2 / informant has already entered into a settlement and as such, on 19.12.2025, the Division Bench of this Court quashed the Crime No.0240 of 2025. Therefore, it will be just and proper to dispose off the present appeal.

9. Accordingly, the present Criminal Appeal is disposed off.

[Y. G. KHOBRAGADE, J.]

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