



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO. 21 OF 2026**

**HARSHAL ISHWAR SONAWANE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Mr. Vijay Balvantrao Garud, Advocate for Applicants.

Mr. S. N. Kendre, APP for Respondents-State.

Mr. M. B. Ubale, Advocate for Respondent No.2.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 30th APRIL, 2026.**

P.C.:-

1. The applicants seeks quashment of FIR No.106/205 registered with Vedant Nagar Police Station, District Aurangabad for offences punishable under Sections 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Sections 85, 74, 115(2), 352, 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023 and consequential proceedings in Special Case No.535/2025 pending before Special Judge (SC & ST Act) Aurangabad.

2. On 27.03.2026 notice of this application was issued to respondents. The respondent no.2 is personally present before this Court. She has filed affidavit-in-reply stating that Marriage Petition No.A-213/2025 was pending before Family Court, Aurangabad between applicant no.1 and herself. The counselling took place amongst spouses through Marriage Counsellor, Family Court, Aurangabad. On 23.03.2026 consent terms came to be

settled between spouses before Marriage Counsellor. It has been agreed that respondent no.2 would withdraw allegations in FIR No.106/2025 and give no objection for quashing of FIR and consequential proceeding in Special Case No.535/2025 pending before Special Judge at Aurangabad.

3. The respondent no.2 has received compensation in view of registration of offence under provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. She would submit an undertaking to this Court that she will refund compensation amount so received within period of two weeks from today and shall report compliance thereof to this Court.

4. Perusal of FIR shows that there was matrimonial dispute between applicant no.1 and respondent no.2. However, now there is amicable settlement between them. This Court finds that parties have genuinely settled dispute. The respondent no.2 has agreed to join company of her husband and both of them wish to continue peaceful matrimonial relationship as recently child has been born.

5. In light of aforesaid factual backdrop reference can be given to observations of Supreme Court in case of ***Narinder Singh Vs. State of Punjab and Ors.***¹, which reads thus:

¹ (2014) 6 SCC 466.

“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 light of exposition of law by Supreme Court, this Court finds that case is made out to exercise inherent powers so as to prevent abuse of process of law and undue harassment to applicants as well as respondent no.2.

7. In result, Criminal Application is **allowed** in terms of prayer Clauses (C), (D) and (E) subject to condition that respondent no.2 files an undertaking to this Court that she would refund amount received from Social Welfare Department within period of two weeks from today and also report compliance thereof to this Court within period of two weeks thereafter.

(S. G. CHAPALGAONKAR)
JUDGE