



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

103 CRIMINAL APPLICATION NO. 328 OF 2026

Prashant Alias Dada Kachru KaleApplicant

VERSUS

The State of Maharashtra & anotherRespondents

Mr. A. D. Jagtap, Advocate for the Applicant.

Mr. B. B. Bhise, APP for the State.

Ms. K. S. Jawale, with Mr. M. T. Joshi, Advocates for Respondent No. 2.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 9th FEBRUARY, 2026.

PER COURT :

1. Applicant has preferred this application invoking inherent powers of this Court under Section 482 of the Code of Criminal Procedure for quashing First Information Report No. 1019/2025, registered with Newasa Police Station, Tq. Newasa, Dist. Ahmednagar, for the offences punishable under Sections 126(2), 309(6), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 and consequential proceedings arising therefrom.

2. The facts in brief leading to the present application are as under :-

On 02.12.2025, informant was transporting charcoal from Mumbai to Chhtrapati Sambhajnagar in a truck bearing No. MH 16 AY 8751. On 04.12.2025 at about 1.30 to 2.00 am, when he was proceeding from Devgad fata, gave a dash to one swift car. When he was tried to come out if the truck, four persons came out of the car. They abused him and assaulted on right leg and back with stone. Other persons assaulted by kicks and fists blows. They snatched his mobile phone and ran away. Thereafter the owner of the truck admitted informant in Bajaj Hospital, Aurangabad. With these allegations the First Information Report came to be registered.

3. Learned Counsel for the Applicant and learned Counsel for Respondent No. 2/informant submit that during the pendency of the proceedings, the parties have amicably resolved the dispute. Informant/Respondent No. 2 herein has filed affidavit to that effect stating that the settlement has been arrived at voluntarily, without any coercion or undue influence, and that he does not wish to prosecute the matter futher.

4. The Hon'ble Supreme Court in case of Gian Singh vs. State of Punjab (2012) 10 SCC 103 and Narinder Singh v. State of Punjab

(2014) 6 SCC 466 has held that the High Court, in exercise of inherent powers, can quash criminal proceedings involving non-compoundable offences if the dispute is predominantly private in nature and continuation of proceedings would amount to abuse of process of law.

5. Similarly in case of Sandip Pandurang Bawale vs. State of Maharashtra, **2023 DGLS (Bom.) 133**, this Court has reiterated and followed with the issue of quashing the non-compoundable offences while exercising inherent powers under Section 482 of the Code of Criminal Procedure.

6. Considering the nature of allegations, the sections involved and the fact that the parties have settled the matter amicably, this Court is of the view that continuation of the criminal proceedings would serve no useful purpose and would only result in unnecessary tribulation to the parties. Hence, I am inclined to exercise inherent powers under Section 482 of the Code of Criminal Procedure to meet the ends of justice.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) First Information Report No. 1019/2025, registered with Newasa Police Station, Tq. Newasa, Dist. Ahmednagar, for the offences punishable under Sections 126(2), 309(6), 351(2), 352 of Bharatiya Nyaya Sanhita, 2023 and consequential proceedings arising therefrom stand quashed and set aside qua the applicant.

(SACHIN S. DESHMUKH, J.)

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