



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

CRIMINAL APPLICATION NO. 520 OF 2026

ROHAN CHANDARAKANT AMBILWADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Dhananjay S. Patil
APP for Respondent No.1 : Mr. D. B. Bhange
Advocate for Respondent No.2 : Mr. Amol Chate h/f.
Mr. G. S. Kakade
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 24-02-2026

PER COURT:-

1. Leave to amend the prayer clause. Amendment be carried out within two weeks from today.
2. The applicant has preferred this application seeking quashment of proceeding bearing Sessions Case No. 05/2026 in connection with Crime No. 670/2025 dated 15.11.2025 registered with Bidkin Police Station for the offences punishable u/s. 64 (2) (m), 352, 351 (2) of the Bharatiya Nyaya Sanhita, 2023 and 3 (1) (s) and 3 (2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. Raising an exception to the same, present proceeding has been presented under Section 528 of the BNSS.

4. The learned Counsel for applicant and the learned Counsel for respondent No.2/Informant submits that the parties have reached a mutual compromise and amicably settled the dispute. It is further submitted parties have amicably resolved all grievances in relation to the FIR through mutual intervention. The informant declares that the settlement was reached of her own free will, without any force, fear, or undue influence. Both the applicant and the informant have filed terms of compromise to that effect.

5. At this juncture, it would be apt to reproduce the observations rendered by the Hon'ble Supreme Court in case of **Narindar Singh vs. State of Punjab [2014(2) MLJ (Cri) 365]**, as under :-

"28. Having said so, we would hasten to add that though it is a serious offence as the accused person(s) attempted to take the life of another person/victim, at the same time the court cannot be oblivious to hard realities that many times whenever there is a quarrel between the parties leading to physical commotion and sustaining of injury by either or both the parties, there is a tendency to give it a slant of an offence under Section 307 IPC as well. Therefore, only because FIR/Charge-sheet incorporates the provision of Section 307 IPC would not, by itself, be a ground to reject the petition under section 482 of the Code and refuse to accept the settlement between the parties. We are, therefore, of the opinion that while taking a call as to whether compromise in such cases should be effected or not, the High Court should go by the nature of injury sustained, the portion of the bodies where the injuries were inflicted (namely whether injuries are caused at the vital/delicate parts of the body) and the nature of weapons used etc. On that basis, if it is found that there is a strong possibility of proving the charge under Section 307 IPC, once the evidence to that effect is led and injuries proved, the Court should not accept settlement between the parties. On the other hand, on the basis of prima facie assessment of the aforesaid circumstances, if the High Court forms an opinion that provisions of Section 307 IPC were unnecessary included in the charge sheet, the Court can accept the plea of compounding of the offence based on settlement between the parties. "

6. Considering the issue involved in the case and aforesaid precedents, it is evident that the informant and the applicant have reached an amicable settlement regarding the dispute. Considering that the dispute has been resolved, the parties have decided to maintain a cordial relationship. The continuance of these criminal proceedings, in light of the informant's resolute to resolve the issue, would lead to a futile trial and a definite abuse of the process of law. Therefore, I am inclined to exercise inherent powers under Section 528 of the BNSS to meet the ends of justice and quash the proceedings against the applicant.

7. Accordingly, the application stands **allowed** in terms of prayer Clauses **(B)**, subject to payment of costs of Rs.1,00,000/- (Rs. One Lakh).

8. The costs shall be deposited within a period of two weeks from today with this Court and the same shall be paid/remitted to the informant / respondent No. 2, forthwith.

9. Failure to comply with aforesaid stipulation shall result in the automatic revocation of this order without further reference to this Court.

[SACHIN S. DESHMUKH]
JUDGE