



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION 950 OF 2026**

YUVRAJ S/O SHIVAJI KADAM AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Ms. A. N. Pedgaonkar, Advocate for the Applicants.

Mr. B. B. Bhise, APP for Respondent-State.

Ms. Pradnya Zolgikar, Advocate for Respondent No.3.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 12th MARCH, 2026.**

ORDER:-

1. The applicants seeks quashment of FIR in Crime No.189/2024 registered with Kranti Chowk Police Station, Dist. Aurangabad for offence punishable under Sections 376, 376(2)(N), 323, 504 r/w 34 of Indian Penal Code and Sections 3(1)(w)(i), 3(1)(2)(ii), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 well as consequential proceeding in Special Case No.485/2024 pending before Sessions Court at Aurangabad.

2. On 12.03.2026, learned Advocate appearing for applicants and respondent no.3 submitted that parties have amicably settled dispute and they wish to place on record joint affidavit to that effect. Accordingly, they were relegated to Registrar (Judicial) of this Court, who submitted his report alongwith terms of compromise put forth by applicants and respondent no.3. The

terms are duly verified before Registrar (Judicial) of this Court. Parties accepted contents thereof to be true and correct.

3. The investigation was set in motion on the basis of information given by respondent no.3 alleging that in year 2022 he got acquainted with applicant no.1. They were in contact with each other. Within 2 to 3 months intimacy was developed between them. The applicant no.1 expressed his love for her and willingness to marry. The informant told that because of inter-caste relations between them, it would be difficult to carry forward relationships. However, applicant no.1 assured that he does not believe in caste and intends to marry her. Due to kind words of applicant no.1, she developed trust in him. On 19.02.2023, applicant no.1 took her in room of his friend and by giving assurance of marriage, established sexual relations. Since 19.03.2023 they had episodes of physical relationship. On 18.08.2023 applicant took her to Mumbai/Belapur where he had job and continued physical relationship at his residence. In year 2024 he left job and returned back to Aurangabad. She started joint venture with applicant no.1. She was insisting him to marry her. However, on 12.06.2024 family members of applicant no.1 came at their cafe and insulted her on caste and refused their consent for marriage with applicant no.1. In view of aforesaid incident, FIR

was lodged. The investigation progressed and finally charge-sheet has been filed.

4. The learned Advocate appearing for applicants submits that applicant no.1 and respondent no.3 got married and residing together as husband and wife. The terms of compromise filed on record states that applicant no.1 and informant got married on 02.08.2024 and both are happily living together since then and informant do not want to proceed with criminal prosecution against applicants. The applicants and respondent no.3 are personally present before Court and they accept terms of settlement to be true and correct. The marriage certificate issued by Arya Samaj, Chhatrapati Sambhajanagar under provision of Arya Marriage Validation Act No.19 of 1937 is placed before this Court alongwith photographs of marriage.

5. The aforesaid sequence of events, contents of FIR and charge-sheet if read together would show that respondent no.3 had consensual physical relations with applicant no.1 due to intimacy between them. However, because parents of applicant no.1 refused permission for marriage, FIR was lodged. Apparently, after registration of FIR, within period of four months they got married and leading happy matrimonial life since last one and half year.

6. In this circumstances, this Court finds no reason to permit continuation of criminal prosecution, which may tarnish relations between applicant no.1 and respondent no.3. Parties have genuinely settled their dispute and continuation of criminal proceeding would be abuse of process of law.

7. Hence, case is made out to invoke inherent jurisdiction under Section 528 of BNSS to quash and set aside FIR and consequential proceeding.

8. In result, Criminal Application is allowed in terms of prayer Clause (b).

(S. G. CHAPALGAONKAR)
JUDGE