

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.424 OF 2026

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| 1. Vinod Subhashchandra Kucheriya |] | |
| 2. Nirmala Subhashchandra Kucheriya |] | |
| 3. Sanmati Vinod Kucheriya |] .. | Applicants |

Versus

- | | | |
|--------------------------------------|------|-------------|
| 1. The State of Maharashtra, |] | |
| Through Ambad Police Station, Nashik |] | |
| 2. ABC (First Informant) |] .. | Respondents |

Mr. Akshay H. Bankapur, Advocate for the Applicants.

Mr. T.G. Khan, APP for the Respondent-State of Maharashtra.

Mr. Ramaprasad Deore, Advocate for Respondent No.2.

CORAM : GAUTAM A. ANKHAD, J.

DATE : 11TH MARCH 2026.

P.C. :

1. The Applicants are permitted to carry out amendment in the prayer clause to include reference of the charge-sheet and corresponding section. Amendment shall be carried out forthwith.

2. The present Criminal Application is filed under section 528 of the

Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the First Information Report bearing C.R. No.896 of 2025 dated 5th December 2025 registered with the Ambad Police Station, Nashik.

3. The parties have now amicably settled their differences. Consent Terms have been executed between the parties on 19th January 2026 which records that Respondent no.2, who is the original complainant in the subject FIR, does not desire to prosecute or continue with the said FIR or any proceedings arising therefrom. It is also stated that the parties have entered into the agreement voluntarily, out of their own free will, without any coercion, pressure, threat, inducement or undue influence and after fully understanding the legal consequences thereof. An affidavit dated 11th March 2026 of Respondent no.2 is also tendered in the Court which records that Respondent no.2 has no objection to quashing of the FIR. The Consent Terms, the affidavit of Respondent no.2, copies of Aadhaar Cards of the parties are taken on record and the same shall now form part of the proceedings.

4. The Hon'ble Supreme Court in *Madhukar v. State of Maharashtra*¹ has held that ordinarily quashing of proceedings involving offences of heinous and grievous in nature is discouraged and should not be permitted lightly. However,

1 2025 SCC OnLine SC 1415

the inherent powers secure the ends of justice are not constrained by a rigid formula and must be exercised with reference to the facts of each case. In the present case, the differences between the parties have been settled and Respondent no.2 does not wish to proceed with the prosecution. Thus, continuance of proceedings would not serve any purpose. **Criminal Application no.424 of 2026 is allowed** in terms of prayer clause (b) which reads as under:

“(b) That this Hon’ble Court may be pleased to issue an appropriate writ, order or direction thereby quashing and setting aside the F.I.R. bearing C.R. No.896 of 2025 dated 5th December 2025 registered with Ambad Police Station, District Nashi for the offences punishable under sections 64, 316, 352, 351(2), 351(3), 69 read with section 3(5) of the Bharatiya Nyaya Sanhita, 2023 lodged at the instance of Respondent no.2 against the present Applicants and consequently quash the charge-sheet filed pursuant thereto and the proceedings bearing Regular Criminal Case no.420 of 2026 pending before the Court of the 2nd Joint Civil Judge (Junior Division) and JMFC, Nashik.”

[GAUTAM A. ANKHAD, J.]