



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

CRIMINAL APPLICATION NO. 1255 OF 2026

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| 1. | Pramod s/o Revchand Amrao
Age-35 years, Occ. Labour, | (Husband) |
| 2. | Ushabai w/o Revchand Amrao
Age: 55 years, Occ. Household, | (Mother in law) |
| 3. | Revchand s/o Pujari Amrao
Age: 60 years, Occ. Labour,
All R/o Galli No.5, Anand Nagar,
Garkheda Parisar, Aurangabad | (Father in law) |
| | | ...Applicants |

VERSUS

- | | | |
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| 1. | The State of Maharashtra
Through Police Inspector,
Gangapur Police Station,
Tq. Gangapur, Dist. Aurangabad | |
| 2. | Diksha w/o Pramod Amrao
Age- 29 years, Occ. Household,
C/o Sajjan Laxman Tupe,
R/o Bhendala, Tq. Gangapur,
Dist. Aurangabad | (Orig. Informant) |
| | | ...Respondents |

...

Mr. J. S. Jain h/f Mr. K. A. Gaikwad, Advocate for Applicants
Mr. S. P. Joshi, APP for Respondents
Mr. M. A. Shaikh, Advocate for Respondent No. 2

CORAM : S. G. CHAPALGAONKAR, J
DATE : MAY 08, 2026

PC:

1. The Applicants seek quashment of FIR No. 0008/2025 dated 09.01.2025 registered with Gangapur Police Station, Dist. Aurangabad for offences punishable under Sections 85, 115(2), 352, 351(3) read with Section 3(5) of



Bharatiya Nyaya Sanhita, 2023.

2. Today, learned Advocate appearing for Applicants and Respondent No. 2 jointly submitted before this Court that parties have amicably settled dispute and they have prepared terms of settlement. Eventually, they were relegated to Registrar (Judicial) of this Court for verification of terms of settlement. The Applicant No. 1 and Respondent No. 2 presented themselves before Registrar and tendered consent affidavit wherein Respondent No. 2 consented to quash FIR and consequential proceedings in RCC No. 626/2025. It is stated in paragraph 14 that Applicant No. 1 and Respondent No. 2 have filed Petition F-165/2026 for divorce by mutual consent. They are residing separately and willingly decided to extinguish matrimonial disputes. In paragraph 17, Respondent no. 2 states that in view of amicable settlement with Applicant No. 1 she wants to withdraw complaint.

3. Apparently, Applicant No. 1 and Respondent No. 2 have genuinely settled their matrimonial dispute and wish to live peaceful life without indulging in further litigation. At this stage, reference can be given to observations of Hon'ble Supreme Court in case of *Narinder Singh and Others Vs. State of Punjab and another* reported in (2014) 6 SCC 466, particularly para 31 which reads thus :

“31. Where criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and



prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

4. In light of law laid down by Hon'ble Supreme Court in case of **Narinder Singh** (supra) and looking to nature of dispute and consenting affidavit given by Respondent No. 2, this Court finds that continuation of criminal prosecution in pursuance of impugned order could be a futile exercise and interest of justice would subserve if proceedings are quashed by invoking inherent powers of this Court.

5. In result, Criminal Application is allowed. The FIR No. 0008/2025 dated 09.01.2025 registered with Gangapur Police Station, Dist. Aurangabad for offences punishable under Sections 85, 115(2), 352, 351(3) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023 and consequential proceeding in RCC No. 626/2025 pending before learned JMFC, Gangapur are hereby quashed and set aside.

(S. G. CHAPALGAONKAR, J.)

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