

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO. _____/2026
[@ SPECIAL LEAVE PETITION (CRIMINAL) NO.1857/2026]**

SHIVAJI GANGADHAR INGALE & ORS.

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.

2. Heard learned counsel for the appellants and Ms. Rashi Bansal, Advocate-on-Record, appearing for the second respondent.

3. A First Information Report (FIR) was lodged by the second respondent (i.e., the prosecutrix) on 16.05.2017 accusing appellant no. 1 of committing rape. The allegations were that the first incident of sexual assault took place in the year 2009 when prosecutrix was a minor and her sexual exploitation continued till 2012. In between, a mock marriage ceremony was performed in the year 2010. It has also been alleged that appellant nos. 2 and 3, who are parents of appellant no. 1, were demanding dowry from the victim's family, and therefore, there could be no formal solemnization of marriage. Based on the said

allegations, initially the First Information Report was registered under Sections 376, 377, 420, 384, 204, 504, 506, 34 of the Indian Penal Code, 1860 and Section 66(e) of the Information Technology Act, 2000. Additionally, Section 4 of the Protection of Child from Sexual Offence (POCSO) Act, 2012 was included amongst the charging sections. As during the period of exploitation, POCSO Act had not come into force, by order of the High Court the charge under Section 4 of POCSO Act was deleted. Later, the parties arrived at a settlement. In the settlement deed, it was stated that FIR was lodged due to some misconception/ misunderstanding and pressure exerted upon the prosecutrix by her parents. Based on the said compromise, an application was submitted invoking the inherent powers of the High Court for quashing the proceedings.

4. By the impugned order dated 21.11.2025, the High Court dismissed the quashing petition on the ground that the offences alleged related to a heinous crime and those cannot be quashed on a compromise between the parties.

5. Impugning the order passed by the High Court, the learned counsel for the appellant has invited our attention to the affidavit filed by the prosecutrix before the High Court in the quashing petition. Based on the aforesaid affidavit, it has been submitted that there is a clear

admission on the part of the prosecutrix that the appellant no. 1 and the prosecutrix were in a consensual relationship and as it could not convert into a marital bond, on account of differences between the two families, out of anger, FIR was lodged. Paragraphs '3' and '4' of the said affidavit are reproduced below:

"3. I say and submit that, the said prosecution was launched under sheer misconception and due to strained relationship between Shivaji Gangadhar Ingle and the present deponent. There was love affair between the applicant No. 1 and present deponent. Since, the relationship could not be culminated into marital tie due to difference of opinion between the family members of the applicant No. 1 and deponent out of mental the strained relations the present deponent has filed the crime in question. It is also matter of record that, at the relevant time the father of the informant/present deponent has persuaded her to lodge the complaint and under said pressure of her family and father she has lodged the FIR.

4. I say and submit that, now considering the changed scenario coupled with the fact that, at the time of initiation of prosecution there was anger in the mind of deponent against the family members of the applicant No. 1 and out of the said anger she has initiated the prosecution due to sheer misconception and/or strained relationship between the parties, so also she was tutored and exerted with pressure by her father to lodge the complaint as he was not in support of the affectation shared between the applicant No. 1 and deponent"

6. The learned counsel representing the prosecutrix has

submitted that prosecutrix is now married and settled in life and continuance of these proceedings would leave an adverse impact on her mental well-being and may disturb her married life, therefore, the FIR may be quashed in terms of the compromise.

7. We have considered the submissions of learned counsel for the parties and have perused the materials available on record.

8. A perusal of the materials available on record, would indicate that this is not a case of any violent sexual assault. The FIR is regarding few incidents that occurred 7-8 years ago. Admittedly, when FIR was lodged, the prosecutrix was an adult. In such circumstances, the affidavit of the prosecutrix before the High Court that FIR was lodged as a mark of protest on failure to convert their relationship into a marital bond cannot be discarded as there appears an element of truth in it. Ordinarily, heinous crimes are not to be quashed basis a settlement between the parties because they have wider ramifications as the society at large is affected. However, this appears to be a case of two persons who were in a relationship but could not convert their relationship into a marital bond due to family differences. The allegation that the prosecutrix was exploited when she was a minor would be

difficult to prove because on that date POCSO Act was not in force and therefore, the benefit of presumption thereunder would not be available to the prosecution. Moreover, when FIR was lodged, prosecutrix was an adult. In such circumstances, it would be difficult to ascertain whether she was violated when she was a minor.

9. Having regard to all these circumstances including the affidavit of the prosecutrix as also that there is remote possibility of such prosecution resulting in a conviction, we are of the view that ends of justice would be best served if the impugned criminal proceedings are quashed based on the compromise affidavit. Consequently, we allow this appeal. The impugned order passed by the High Court is set aside. The FIR No.171 of 2017 and all proceedings emanating therefrom are hereby quashed.

10. Pending application(s), if any, shall stand disposed of.

.....J
[MANOJ MISRA]

.....J
[MANMOHAN]

New Delhi;
February 11, 2026

ITEM NO.8

COURT NO.14

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO.1857/2026

[Arising out of impugned final judgment and order dated 21-11-2025 in CRA No. 4252/2025 passed by the High Court of Judicature at Bombay at Aurangabad]

SHIVAJI GANGADHAR INGALE & ORS.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

IA No. 32984/2026 - EXEMPTION FROM FILING O.T.

Date : 11-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) : Mr. Shudhanshu S. Choudhary, Sr. Adv.
Mr. Shirish K. Deshpande, AOR
Mr. Shirish K. Deshpande, Adv.
Mr. Viraj M Parakh, Adv.
Mr. Raga Arora, Adv.
Mrs. Roucha Pravin Mandlik, Adv.
Ms. Pranjal Chapalgaonkar, Adv.
Ms. Gautami Yadav, Adv.

For Respondent(s) : Ms. Rashi Bansal, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is allowed in terms of the signed order which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(KOMAL)
BRANCH OFFICER