

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CRIMINAL APPLICATION NO. 5104 OF 2016**

Shaikh Majid S/o Shaikh Imam
Age : 34 years, Occ : Business,
R/o Naigaon, Aurangabad,
Tq. & Dist. Aurangabad.

..APPLICANT

-VERSUS-

1. The State of Maharashtra
Through City Chowk Police Station,
Aurangabad, Tq. & Dist. Aurangabad.
2. Muneer Gani Naik
Age : 57 years, Occ : Business,
R/o Nahid Nagar, Katkat Gate,
Aurangabad, Tq. & Dist. Aurangabad.

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Mr. G.R. Syed, Advocate for Applicant.
Mr. M.M. Nerlikar, APP for Respondent/State.
Mr. Inteyaz K. Ibrahim K. Pathan, Advocate
for Respondent no.2.

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CORAM : S.S. SHINDE & SANGITRAO S. PATIL, JJ.

Dated: September 28, 2016

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PER COURT :-

Heard.

2. Respondent No.2 has filed affidavit in

reply. He is present in the Court. He is identified by learned counsel Mr. Inteyaz K. Ibrahim K. Pathan appearing for him.

3. On interaction, Respondent No.2 - Muneer Gani Naik submits that there was misunderstanding and because of intervention of senior members of the society, Respondent no.2 and the applicant amicably settled the dispute. He has also received the money. He has no grievance for quashing the F.I.R. In that view of the matter, since the parties have amicably settled the dispute and Respondent No.2 (complainant) has no grievance for quashing the F.I.R. the continuation of further investigation/proceedings on the basis of the F.I.R. bearing Crime No.356/2016 under Sections 420, 468, 471, 34 of the Indian penal Code registered with City Chowk Police Station, Aurangabad dated 10th August, 2016, will be exercise in futility and abuse of process of law.

4. In that view of the matter, Criminal Application is allowed in terms of prayer clause "B" and same stands disposed of.

5. Since the F.I.R. is quashed, the applicant be set at liberty forthwith, if not required in any other case.

(SANGITRAO S. PATIL, J.) (S.S. SHINDE, J.)

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