

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) NO.496 OF 2016.

APPLICANT:

Dulare s/o Harinarayan Pandey,
aged about 60 years, Occu: Retired,
Resident of New Majri Colony, Post
Shivaji Nagar, Distt.Chandrapur.

: VERSUS :

NON-APPLICANTS:

1. The State of Maharashtra,
through the Police Inspector,
Police Station Warora, Distt.Chandrapur.
2. Shri Mahaveer Shikshan Prasarak Samiti,
Wani, through its President Shri Jitendra
Mulchand Jain, resident of Wani, Distt.
Yavatmal.

Mr.A.A.Naik, Advocate with Mr.H.A.Deshpande, Advocate for the
applicant.

Mr.C.A.Lokhande, APP for respondent no.1.

Mr.B.G.Kulkarni, Advocate for non-applicant no.2.

CORAM: B.R.GAVAI AND
 V.M.DESHPANDE, JJ.
DATED: 27th JULY, 2016.

ORAL JUDGMENT (Per B.R.Gavai, J.)

1. Rule. Rule is made returnable forthwith. Heard by consent of learned counsel for both the parties.

2. By way of present application, the applicant seeks quashing of First Information Report being Crime No.31 of 1994 registered against the applicant for the offence punishable under Sections 409 and 477-A of the Indian Penal Code and consequent Regular Criminal Case No.288 of 1994 pending on the file of the learned Chief Judicial Magistrate, Chandrapur.

3. The applicant was working as an Assistant Teacher and thereafter he was promoted as a Headmaster. It appears that there was dispute between the applicant and the Management, as a result of it, he came to be reverted to the post of Assistant Teacher.

4. The litigation with regard to reversion has reached up to

the Hon'ble Apex Court. However, it further appears that on account of the certain allegations against the applicant while functioning as Headmaster, the aforesaid FIR came to be lodged for the offence punishable under Section 409 of the Indian Penal Code.

5. Be that as it may, now the matter has been amicably settled between the parties. A compromise petition is filed in the LPA and the LPA is also disposed of in terms of the compromise being arrived at between the parties.

6. The applicant as well as the President of the respondent no.2 – Management are personally present before the Court and they reiterated about the settlement.

7. In that view of the matter, we do not find that any purpose would be served keeping the said criminal proceedings pending as substantive matter is amicably settled between the

parties.

8. In that view of the matter, rule is made absolute in terms of prayer Clauses 'A' and 'B' of the application.

JUDGE

JUDGE

chute

-CERTIFICATE-

I certify that this Order uploaded is a true and correct copy of original signed order.

Uploaded by : P.Z.Chute,
Pvt.Secretary.
Uploaded on: 29/07/2016.