

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

CRIMINAL APPLICATION (APL) NO.688 OF 2016

Arif Mohammad s/o Abdul Samad

-vs-

The State of Maharashtra, Thr. PSO PS Pratap Nagar, Nagour and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri H. S. Meshram, Advocate for applicant.
Ms N. P. Mehta, APP for non-applicant No.1-State.
Shri S. D. Kadu, Advocate for non-applicant No.2.

**CORAM : B. R. GAVAI &
A.S.CHANDURKAR, JJ.**

DATE : February 07, 2017

Heard.

The applicant before this Court is praying for quashing and setting aside the FIR registered vide No.3137/2015. The FIR lodged by non-applicant No.2 is mainly against one Rashid Jahur Shaikh alleging therein that he had come in I-20 car along with his friends and gave abuses and threats to the brother of non-applicant No.2.

The non-applicant No.2 has filed affidavit stating therein that present applicant had merely accompanied the principal accused and non-applicant No.2 has no objection if the FIR is quashed and set aside as against the present applicant.

Perusal of FIR itself would reveal that the allegation of abuse and threats are made only against

one Rashid Jahur Shaikh. No role is attributed to the present applicant.

The non-applicant No.2 is personally present in the Court. We have interviewed her. She also reiterates that she does not want to proceed against the present applicant.

In that view of the matter we are inclined to allow the application. The FIR registered vide No.3137/2015 by Pratap Nagar Police Station is quashed and set aside only in so far as the present applicant Arif Mohammad Samad is concerned.

Criminal Application is disposed of.

JUDGE

JUDGE