

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 3607 OF 2015

- 1] Deepak S/o Wamanrao Shingade,
Age: 38 years, Occ: Business,
R/o : Hanuman Tekadi, Ahmedpur,
Tq. Ahmedpur, Dist. Latur.
- 2] Vikramsinh S/o Pundalikrao Dodake,
Age: 44 years, Occ: Agril.,
R/o : Ahmedpur, Tq. Ahmedpur,
Dist. Latur.

... APPLICANTS

VERSUS

- 1] The State of Maharashtra,
Through Superintendent of Police,
Latur, Dist. Latur.
- 2] The Police Inspector,
Police Station Ahmedpur,
Dist. Latur.
- 3] Basveshwar @ Chandu S/o. Vaijinath Pune,
Age: 39 yeas, Occ. Business,
R/o.: Mahadeo Galli, Near Mahadeo Temple,
Ahmedpur, Tq. Ahmedpur, Dist. Latur.

... RESPONDENTS

...
Mr. S. B. Bhapkar, Advocate for Applicants.

Mr. R. V. Dasalkar, APP for Respondent Nos.1 & 2.

Mr. J. V. Patil, h/f Mr. P. R. Katneshwarkar, Advocate for Respondent No.3.

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CORAM : **T. V. NALAWADE &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 12th September, 2018.

ORAL JUDGMENT: (Per T. V. Nalawade, J.)

. The proceeding is filed under Section 482 of the Code of Criminal Procedure for relief of quashing of FIR No.134 of 2015, registered with Ahmedpur Police Station, District Latur, for the offences punishable under Sections 420, 511 read with 34 of the Indian Penal Code.

2 The learned counsel for Respondent, first informant, made statement, on instructions, that the parties have settled the dispute. Previous noting made by this Court show that similar submissions were made in the past also.

3 The report was given against Deepak on 28th June, 2015 and in the report, allegations are made against the Applicants that when he was traveling by bus, he lost bag containing the cheques, which were signed by him, but which were not completely filled and these two cheques were likely to be misused and he had given report

to police on 1st October, 2014. He made allegations that subsequently, present Applicant, who got the cheques, filled the cheques and presented the cheques for encashment. The present Applicants had then given legal notice after bouncing of the cheques and so the report was given.

4 The submissions made show that the proceeding filed under Section 138 of the Negotiable Instruments Act was compromised and disposed of. In view of the statement now made by the learned counsel for Respondent, first informant in the present matter, this Court holds that relief needs to be granted to the present Applicants. In the result, the following order is passed:

ORDER

- I. The application is allowed.
- II. Relief is granted in terms of prayer clause (C).
- III. Rule is made absolute in those terms.

[SMT. VIBHA KANKANWADI, J.]

[T. V. NALAWADE, J.]