

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 97 OF 2019

Puthiya Vetil @ Suresh S/o Krushna Babu,
Age: 52 years, Occ: Business,
R/o: Flat No. B-4, Chanikyapuri,
Sutgirni Road, Garkheda Parisar,
Aurangabad.

...APPLICANT

VERSUS

1. The State of Maharashtra,
2. The Police Inspector,
Police Station Waluj, Aurangabad,
Tq. & Dist. Aurangabad.
3. Shirin W/o Jamshed Maroliya,
Age : 60 years, Occu. Business,
R/o: Block B-8, Gopikishan Nagar,
Near Santoshi Mata Temple, Jalna,
Tq. & Dist. Jalna.

...RESPONDENTS

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Mr. Sushesh N. Menchirel, Advocate for applicant
Smt. V.S. Chaudhary, APP for respondents No. 1 and 2
Mr. Sarang Joshi, Advocate for respondent No. 3

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**CORAM : T.V. NALAWADE &
K. K. SONAWANE, JJ.**

DATED : 10th JULY, 2019.

ORAL JUDGMENT :- (PER : T.V. NALAWADE, J.)

1. Rule. Rule made returnable forthwith. Heard finally, with consent of learned counsel for parties.
2. Present proceeding is filed seeking relief of quashing First Information Report bearing Crime No. 542 of 2018 registered with Waluj MIDC Police Station, Aurangabad for the offence punishable

under Sections 406, 420, 504 and 506 of the Indian Penal Code. One Smt. Shirin Jamshed Marliya gave first information report on 20-01-2018 alleging to the effect that deceased husband was trading in liquor and he was owner of the Hotel and Beer-Bar. The allegations are made that, present applicant was give Hotel and Beer-Bar for running the business. The some amount was given as deposit and some amount was to be paid by the present applicant. It is contended that after the death of husband, present applicant with the help of false record show that he had given amount of Rs.12,20,000/- as deposit, when actual amount of Rs.3.50,000/- was given as deposit. It is contended that applicant stopped to give the rent and thereby he has deceived the first informant.

3. During the course of arguments, learned counsel for applicant and first informant submit that parties have settled the dispute amicably. The affidavit-in-reply of the first informant in that regard is filed on record and they agreed to settle the disputes and differences amicably between themselves without recourse to civil or criminal litigations. Considering that nature of the allegations and affidavit of first informant on record, this Court holds that relief deserves to be granted in favour of the applicant.

4. Accordingly, Criminal Application stands allowed in terms of prayer clause "b". Rule is made absolute in those terms. No costs.

Sd/-

[K. K. SONAWANE]
JUDGE

Sd/-

[T.V. NALAWADE]
JUDGE