

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

CRIMINAL APPLICATION NO.419 OF 2019

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| <ol style="list-style-type: none"> 1 Suryakant Siddharth Bhalerao,
Age 29 years, Occu. Business,
R/o. 21/2, Dharmaratna Kasamwadi,
Jalgaon, District Jalgaon. 2 Ratnakant Siddharth Bhalerao,
Age 22 years, Occu. Business,
R/o. 21/2, Dharmaratna Kasamwadi,
Jalgaon, District Jalgaon. 3 Prakash Sakharam Patil,
Age 46 years, Occu. Business,
R/o. Old Meharun Road,
Tambat Galli, Kasamwadi,
Jalgaon, District Jalgaon. | <p>.. Applicants</p> |
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VERSUS

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| <ol style="list-style-type: none"> 1 The State of Maharashtra
Through its,
Ramanand Nagar Police Station,
Jalgaon, Taluka and District Jalgaon. 2 Ravindra Prabhakar Tikale,
Age 50 years, Occu. Service,
R/o. At present Plot No. 508-A,
Gulmohar Residency, Indra Nagar Road,
203, New Azad Nagar, Kalyanpur,
Kanpur (Uttar Pradesh). | <p>.. Respondents</p> |
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Mr. Vijay B. Patil, Advocate for Applicants.
Mr. R. D. Sanap, Advocate for Respondent No.1 - State.
Mr. D. S. Mali, Advocate for Respondent No.2.

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**CORAM : T.V. NALAWADE &
K. K. SONAWANE, JJ.**
DATED : 31st JULY, 2019.

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

Rule. Rule made returnable forthwith. Heard finally, with consent of learned counsels for the parties.

2. Present proceeding is filed for the relief of quashing of First Information Report in Crime No. 199 of 2018 registered with Ramanand Nagar Police Station, Jalgaon, for the offences punishable under Sections 420, 467, 465, 468 and 471 read with Section 34 of the Indian Penal Code (IPC).

3. Amendment is to be made to add the relief of quashing of case itself by the applicants.

4. During arguments, learned counsel for the applicant and learned counsel for the respondent-first informant submitted that they have settled the dispute and the informant has no objection to grant the relief claimed by present applicants.

5. This Court has carefully gone through the copy of FIR. Allegations are made that the plot standing in the name of father of the informant was sold by some persons, whose names are mentioned in the FIR, by producing one persons posing that he is owner of the plot. Plot was sold to present applicants.

6. Submissions was made that the present applicants were deceived by other accused by posing themselves to be owner of the property. Learned counsel for the applicants submitted that respondent No.2 first informant had filed application to the police station, wherein had requested that applicants No.1 and 2 be deleted from the offence and if Investigating Officer feel it necessary, they be arrayed as witnesses in the complaint filed by respondent No.2-first informant. When the regular bail application was filed by the applicants, first-informant had given no objection. Due to such undertaking of the applicants, this Court asked learned APP to verify the antecedents. He submitted that no other case of similar nature is registered against the present applicants. Reply of aforesaid nature is filed by respondent No.2 - first informant, the same is taken on record.

7. In view of aforesaid circumstances, this Court holds that the relief needs to be given to the applicants. Hence, the order :-

ORDER

1. The Criminal Application is allowed.
2. Relief of quashing of FIR is granted in terms of prayer clause (B).
3. Rule is made absolute in those terms.

[K. K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE