

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1243 OF 2019

- 1 Munishkumar Pawan Kumar Mangla,
Age 44 years, Occu. Business,
R/o. Jagraon, District Ludhiana,
Punjab State.
 - 2 Sanjeevkumar Pawan Kumar Mangla,
Age 45 years, Occu. Business,
R/o. Jagraon, District Ludhiana,
Punjab State.
- .. PETITIONERS

VERSUS

- 1 The State of Maharashtra
Through Police Inspector,
Chopda City Police Station,
Chopda, District Jalgaon.
 - 2 Mr. Shrutam Ajay Agrawal,
Age 23 years, Occu. Business,
R/o. Gajanan Nagar, Chopda,
Taluka Chopda, District Jalgaon.
- .. RESPONDENTS

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Mr. Anand Bhandari h/f. Rajat V. Patodi, Advocate for Petitioners.
Mrs. V. N. Patil Jadhav, APP for Respondent No.1 – State.
Mr. Vinod P. Patil, Advocate for Respondent No.2.

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

DATE : 07th OCTOBER, 2019.

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

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

2. This proceeding is filed for the relief of quashing of First Information Report bearing Crime No. I-76 of 2019 registered with

Chopda City Police Station, District Jalgaon, for the offence punishable under Sections 420, 406 and 120-B of the Indian Penal Code.

3. During the course of arguments, learned counsel appearing for petitioners and first informant submit that the parties have amicably settled their dispute. In view of nature of allegations and dispute and as this Court has come across with many similar matters, in which, the traders and the farmers of this area were duped, this Court under order dated 4th September, 2019 had directed the learned APP to verify and ascertain as to whether petitioners have any similar antecedents. Pursuant to order, learned APP has produced on record the report submitted by concerned Police Station to learned Public Prosecutor saying that they made enquiry with the Police Stations in Maharashtra and other States. It appears from the said report/correspondence of the Police of Chopda City Police Station that offence bearing Crime No. 69 of 2016 came to be registered against the present petitioners at Umai Police Station, Meghalaya State, for the offence punishable under Sections 447 and 506 of the Indian Penal Code. The record does not show that the petitioners are involved in other similar matter.

4. In view of the nature of allegations made in the FIR and as the parties have settled their dispute amicably as well as learned counsel for respondent No. 2 first informant have no objection and affidavit to that effect filed by respondent No. 2, this Court holds that relief needs to be granted. Accordingly, the Criminal Writ Petition is allowed in terms of prayer clause "B". Rule is made absolute in those terms.

5. The petitioners are directed to deposit amount of Rs.25,000/- (Rupees Twenty Five Thousand only) towards costs in the office of High Court Legal Services Authority, Sub-Committee, Aurangabad, within a period of four weeks from the date of this Order. If the amount is deposited within stipulated period as indicated above, the Writ Petition is presumed to be allowed; otherwise, it shall be presumed to be dismissed.

Sd./-

[K.K. SONAWANE]
JUDGE

Sd./-

[T.V. NALAWADE]
JUDGE

MTK