

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APL) NO.17 OF 2019  
(Shri Ajit Wasudeo Bhakre vs. State of Maharashtra and another)

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

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Shri F. Mirza, Advocate and Shri D.P. Tidke, Advocate  
for applicants.

Shri S.J. Kadu, Additional Public Prosecutor for  
respondent no.1.

Shri J. Kasat, Advocate for respondent no.2.

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CORAM : P.N. DESHMUKH AND  
          ROHIT B. DEO, JJ.

DATED : JANUARY 09, 2019

Applicant nos.1 to 3 and complainant/non-applicant no.2 are present in the Court along with their respective Counsel. The parties have placed on record joint pursis compromising the issue involved in the present application. Pursis is duly signed by all applicants and complainant/non-applicant no.2 along with their respective Counsel.

Prayer in the application is for quashing and setting aside the First Information Report registered with the non-applicant no.1 Police Station Officer, Frezarpura, Amravati on 15/12/2018 under Sections 420 and 506 read with Section 34 of Indian Penal Code vide Crime No. 1395/2018.

We find that the applicants and non-applicant no.2 entered into Generic Medicine Franchise business transaction and decided to give franchisee to

non-applicant no.2 for Rs.30 lakhs, out of which amount of Rs.15 lakhs was paid to Generic Medicines, Nagpur and on that issue, dispute cropped up between applicants and non-applicant no.2, of which report came to be lodged upon which first information report came to be registered. It is found from the terms of compromise that applicant no.1 has paid amount of Rs.15 lakhs by demand draft as mentioned in clause (i) of para 4 of the pursis. Due to such payment, issue is found settled.

The Hon'ble Apex Court in the case of **Narinder Singh and others vs. State of Punjab and another** {(2014) 6 SCC 466) has held that if the parties have settled the dispute and no element of public loss is involved, they can be permitted to compound the offence. We find that issue involved between the parties is in no way concerned with element of public loss. In that view of the matter, we find no reason to keep first information report pending.

In the circumstances, application is allowed in terms of prayer clause (ii) of the same with no order as to costs.

JUDGE

JUDGE

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