

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Application [APL] No. 320 of 2019.

(Mohd. Javed S/o Mohd. Hussain & Anr. Vs. State of Maharashtra, thr. P.S.O. Shanti Nagar, Nagpur)

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

Court's or Judge's Orders.

Shri N.Y.Lade, Advocate for appellants.
Shri T.A.Mirza, APP for State.

**CORAM : Z. A. HAQ &
VINAY JOSHI, JJ.**

DATE : 04.05.2019.

Heard.

This is a joint application in terms of Section 482 of the Code of Criminal Procedure for quashing F.I.R. No. 01/2018 dated 06/01/2018, registered at Police Station, Shanti Nagar, Nagpur. Said crime was registered at the instance of report lodged by applicant no.2 for offence punishable under Sections 406 and 420 of the Indian Penal Code. In the meantime, parties have amicably settled the dispute outside the Court and jointly applied for quashing F.I.R.

Initially, the application was objected by learned APP by stating that in order to settle personal dispute, the applicant no.2 has misused the police machinery which was required to undertake investigation.

The applicants showed their willingness to deposit Rs.20,000/- to compensate the State and accordingly deposited the amount.

Since the matter is amicably settled and the original informant is not interested to prosecute police report, further

exercise would be futile and abuse of process of law.

In view of that, we find it appropriate to exercise inherent jurisdiction to quash concerned F.I.R. to prevent the abuse of process of law.

Hence, by allowing this application we hereby quash and set-aside F.I.R. No. 01/2018, registered at Police Station, Shanti Nagar, Nagpur.

The amount of Rs. 20,000/- deposited by the applicants be deposited with the State Victim Compensation Fund.

Criminal Application is allowed accordingly.

JUDGE

JUDGE