

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

CRIMINAL APPLICATION (APL) NO.601 OF 2019
(Brajesh s/o Rameshchandra Asati vs. State of Maharashtra and another)

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

Shri O.K. Masurke, Advocate for applicant.
Shri S. Sirpurkar, Additional Public Prosecutor for
respondent no.1.
Shri V.R. Borkar, Advocate for respondent no.2.

CORAM : P.N. DESHMUKH AND
 PUSHPA V. GANEDIWALA, JJ.

DATED : JUNE 27, 2019

Issue notice to the respondents.

Shri Sirpurkar, learned Additional Public
Prosecutor waives notice for respondent no.1. Shri
Borkar, learned Counsel waives notice for respondent
no.2.

Applicant and respondent no.2 are present.

This application is filed for quashing of First
Information Report No.211/2019 registered for the
offences punishable under Sections 324 and 294 of
Indian Penal Code and Section 3(1)(w)(i) and 3(2)(va)
of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

According to learned Counsel for the parties,
the matter is amicably settled and the parties have
accordingly placed on record a joint pursis. According to
respondent no.2/complainant, he is working with

applicant as his Driver and due to some misunderstanding, report came to be lodged, upon which offences are registered and thus, he does not want to prosecute his report.

In view of facts as aforesaid and considering the joint pursis filed by the parties and the law laid down by the Hon'ble Apex Court in the case of **Narinder Singh and Others vs. State of Punjab and another** {(2014) 6 SCC 466) wherein it is held that when the parties have reached the settlement and on that basis, application for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure (i) ends of justice, or (ii) to prevent abuse of the process of any Court, we find that there is no purpose in keeping the prosecution pending as it would amount to futile exercise.

In that view of the matter, criminal application is allowed subject to deposit of costs of rupees twenty thousand by applicant and non-applicant no.2 jointly and equally within two weeks with the Registry of this Court, which shall be paid to Panchwati Vrudhashram, Umrer Road, Nagpur.

The application is disposed of in the above terms.

JUDGE

JUDGE

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