

THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CRIMINAL APPLICATION NO. 467 OF 2020

1. Swapnil S/o Ambadas Kolhe,
Age 23 yrs., Occ. Education,
 2. Jaydeep s/o Bansidhar Hiwale,
Age 25 yrs, Occ. Business,
 3. Kartik s/o Bhausaheb Kolte,
Age 26 yrs., Occ. Service,
- All applicants are presently residing
Near Chate School, Satara Parisar,
Aurangabad.

... **APPLICANTS**

VERSUS

1. The State of Maharashtra.
2. Lakhan s/o Subhash Rathod,
Age 19 yrs., Occ. Education,
r/o Satara,
Tq. and Dist. Aurangabad.

... **RESPONDENTS**

...
Mr. Abasaheb D. Shinde, Advocate for Applicants.

Mr. R. B. Bagul, APP for Respondent No.1 / State.

Mr. Narendra D. Sonavane, Advocate for Respondent No.2.

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**CORAM : T. V. NALAWADE &
M. G. SEWLIKAR, JJ.**

DATE : 09th September, 2020.

ORAL JUDGMENT: (Per T. V. Nalawade, J.)

. Rule. Rule made returnable forthwith. By consent, heard both the sides for final disposal.

2 The proceeding is filed for relief of quashing of FIR No.11 of 2020 dated 8th January, 2020, registered with Satara Police Station, District Aurangabad, for the offences punishable under Sections 392 read with 34 of the Indian Penal Code.

3 This Court has carefully gone through the FIR. It appears that the present Applicants had intercepted one motorcycle of young boy and girl and they had questioned as to why they had come towards that side. Allegations are made that the Applicants then snatched cash amount of Rs.15,000/- and one ATM card. FIR was given on the same day.

4 The learned counsel for Applicants submitted that the parties have settled the dispute. The informant has filed affidavit to that effect. Today, this Court received report from the police that the Applicants have no other bad antecedents.

5 It appears that it is a case probably of moral policing. They intercepted young boy and girl who had come towards their side and they felt that their company was objectionable. These days, such incidents are increasing day by day and for some reasons the persons like Applicants are creating fear in the mind of young boys and girls. There are cases of even rape and murder due to such moral policing. Only because the Applicants have no bad antecedents, this Court is granting relief of quashing of FIR. The informant has no intention to give evidence against the Applicants and so nothing can be achieved by asking the Applicants to face the trial. However, the valuable time of the Court is wasted and the Applicants need to keep in mind that they cannot do moral policing and it is they who will suffer if they repeat such act. In the result, the following order is passed:

ORDER

- I. The application is allowed subject to condition of depositing the amount of Rs.25,000/- (Rupees Twenty-Five Thousand Only) by the Applicants.
- II. The amount is to be deposited with the High Court Legal Services Sub-Committee, Aurangabad within 15 days.
- III. If the amount is deposited, it is to be presumed that FIR No.11 of 2020 dated 8th January, 2020,

registered with Satara Police Station, District Aurangabad stands quashed and set aside.

IV. If the amount is not deposited, it is to be presumed that the present application is dismissed.

V. Rule is made absolute in those terms.

ndm [M. G. SEWLIKAR, J.]

[T. V. NALAWADE, J.]