

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 829 OF 2019

Sachin Laxman Malik

Age : 33 years, Occ: Business,

R/o Plot No.59, Maya Nagar, N-2,

Cidco, Aurangabad,

Tq. & Dist. Aurangabad.

.. **Applicant**

Versus

1. The State of Maharashtra
Through Police Inspector,
Mukundwadi Police Station,
Aurangabad, Tq. & Dist. Aurangabad.

2. Rohan Bhalchandra Deshpande,
Age: 30 years, Occ: Business,
R/o Plot No.4, Janak Puri Colony,
Garkheda area, Aurangabad.
Tq. & Dist. Aurangabad.

.. **Respondents**

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Mr. Shailesh S. Chapalgaonkar, Advocate for the Applicant.

Mr. S.G. Sangle, APP for the Respondent-State.

Ms. Rebekah Daniel h/f. P.P. Sakhare, Advocate for Respondent No.2.

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

DATE : 04.02.2020

ORAL JUDGMENT :-

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

2. The present proceeding is filed for relief of quashing of F.I.R. No. 441 of 2018 registered with Mukundwadi Police Station, Aurangabad for the offences punishable under Section 406, 420 of the I.P.C.

3. During arguments the learned counsel for the applicants and the informant submitted that the parties have settled the dispute. The learned counsel for the informant submitted that the terms of settlement are filed on record and there is affidavit of the informant to the effect that informant has no intention to proceed against the applicant. This Court has carefully gone through the contents of the F.I.R. There was some transaction like publishing of the advertisements and in respect of that work the amount was to be paid by the applicant. Some cheques were given but the cheques bounced and the F.I.R. was given. In view of the nature of dispute, this Court holds that relief needs to be given. In the result, the application is allowed. The relief is granted in terms of prayer clause-B. The rule is made absolute in those terms.

4. The applicant needs to deposit an amount of Rs.20,000/- as cost of the proceeding. The dispute of civil nature was taken to police and the time of police and the Court is consumed. The amount needs to be deposited

within two weeks. If the amount is not deposited, it is to be presumed that the proceeding is dismissed.

[M.G. SEWLIKAR, J.]

[T.V. NALAWADE, J.]