

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

CRIMINAL APPLICATION (APL) NO.227 OF 2020

Sagar s/o Devidas Kurhade and one
..VS..
State of Maharashtra

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

Court's or Judge's orders

Shri Sumit G. Joshi, Advocate for Applicants.

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CORAM : SUNIL B. SHUKRE AND
MADHAV J. JAMDAR, JJ.

DATED : 26th FEBRUARY, 2020.

Heard.

Issue notice to the non-applicant-State. Shri S.A. Ashirgade, learned APP waives notice for the non-applicant-State.

This being the joint application filed by the complainant and the accused, there is no need to wait for any reply of the non-applicant-State, inasmuch as the dispute between the complainant and the accused appears to be of purely a private nature arising from intimate *inter se* relations.

The applicant no.1 is the accused and the applicant no.2 is the complainant. Both of them are personally present before the court. They are identified by their counsel. They jointly state that they have voluntarily reached the settlement between them and as a part of settlement, they have decided to end the

quarrel that took place between them and also agreed for quashing of the FIR and the criminal proceeding filed against the applicant no.1. They also submit that the FIR came to be lodged due to misunderstanding nurtured by the complainant against the accused and the fact that the misunderstanding is over.

On going through the allegations made in the FIR, we find that, in fact, we have already noted so earlier that the dispute is of private nature. Besides, the accused and the complainant have settled the dispute and, therefore, in our opinion, this would be a fit case for allowing of the application. Hence, the order :

The Criminal Application is allowed in terms of prayer clause (1), subject to the condition that the applicant no.1 shall deposit an amount of Rs.10,000/- (Rs. Ten thousand only) in the office of the Public Prosecutor, Bombay High Court, Nagpur Bench, Nagpur within a period of two weeks' from the date of the order, for development of library including digital library, installation of the server and the digitalization of the library, failing which, this order shall stand cancelled automatically and the application shall stand restored to the file of this Court for fresh hearing and disposal in accordance with law.

JUDGE

JUDGE