

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

CRIMINAL APPLICATION (APL) NO.970/2020

- 1) Padmabai W/o. Dnyanba Shingne,
Aged 50 years, Occ. Household
- 2) Prashant @ Parasram Dnyaneshwar Shingne
Aged 35 years, Occ. Agriculturist
- 3) Sourabh Vishnu Shingne
Aged about 24 years, Occ. Student
- 4) Bhagwan Sakharan Shingne
Aged 36 years, Occ. Agriculturist
- 5) Pradeep Shivaji Shingne
Aged 28 years, Occ. Agriculturist
- 6) Aakash Madan Shingne
Aged 22 Years, Occ. Student
- 7) Madan Dnyanba @ Dnyaneshwar Shingne
Aged 45 years, Occ. Agriculturist
- 8) Dyanba @ Dnyaneshwar Gabaji Shingne
Aged 70 years, Occ. Nil
- 9) Vishnu S/o Dattatraya Bhanuse
Aged 31 years, Occ. Agriculturist
- 10) Baliram Bajirao Shingne
Aged 32 years, Occ. Agriculturist
- 11) Gopal @ Niltin Dattu Vayal
Aged 33 years, Occ. Agriculturist
- 12) Rushikesh Vijay @ Nandkishor Shingne
Aged 40 years, Occ. Agriculturist
- 13) Vishnu Sakharan Shingne
Aged 45 years, Occ. Agriculturist

- 14) Jagdish Gumanrao Shingne
Aged 27 years, Occ. Agriculturist
- 15) Shubham Vishnu Shingne
Aged 23 years, Occ. Agriculturist
- 16) Balu @ Vishal Tukaram Shingne
Aged 33 years, Occ. Agriculturist
- 17) Nikhil @ Akshay Purushottam Shingne,
Aged 22 years, Occ. Student
- 18) Nitin Digamber Shingne
Aged 27 years, Occ. Agriculturist
All R/o. Deulgaon Mahi, Tah.
Deulgaon Raja, Dist. Buldana.

.....APPLICANTS

...VERSUS...

- 1) The State of Maharashtra through
Police Station Officer, Police Station
Deulgaon Raja, Tah. Deulgaon Raja,
District Buldana.
- 2) Pradeep Baburao Nagre,
- 3) Baburao Sakharam Nagre,
- 4) Ramdas Sakharam Nagre,
- 5) Raghuvir Sakharam Nagre,
- 6) Ganesh Ramdas Nagre,
- 7) Satish Raghuvir Nagre,
Non-applicant Nos.2 to 7 are major,
Occu. Agriculturist,
All R/o. Deulgaon Mahi,
Deulgaon Raja, Dist. Buldana.

...NON-APPLICANTS

WITH

CRIMINAL APPLICATION (APL) NO.997/2020

- 1) Pradeep Baburao Nagre,
Aged 34 years, Occ. Social
Worker/Agriculturist.

- 2) Baburao Sakharam Nagre,
Aged years, Occ. Social
Worker/Agriculturist.
- 3) Ramdas Sakharam Nagre,
Aged years, Occ. Social
Worker/Agriculturist.
- 4) Raghuvir Sakharam Nagre,
Aged years, Occ. Social
Worker/Agriculturist.
- 5) Ganesh Ramdas Nagre,
Aged 34 years, Occ. Social
Worker/Agriculturist.
- 6) Satish Raghuvir Nagre,
Aged 34 years, Occ. Social
Worker/Agriculturist.

All Applicant Nos. 1 to 6
R/o. Deulgaon Mahi, Deulgaon
Raja, Dist. Buldana.

...VERSUS...

- 1) The State of Maharashtra through
Police Station Officer, Police Station
Deulgaon Raja, Tah. Deulgaon Raja,
District Buldana.
- 2) Padmabai W/o Dnyanba Shingane,
Aged 65 years, Occ. Household.
- 3) Swati W/o Prashant Shingane,
Aged 28 years, Occ. Household,

Non-applicant Nos. 2 and 3
R/o Deulgaon Mahi, Tah. Deulgaon Raja,
Dist. Buldhana.

...NON-APPLICANTS

Mr. P.B. Patil, Advocate for applicants.
Mr. A.M. Kadukar, A.P.P. for respondent no.1.

CORAM:- A.S. CHANDURKAR AND AMIT B. BORKAR, JJ.
DATED :- 31/07/2020

COMMON JUDGMENT (PER AMIT B. BORKAR J.)

1. **RULE.** Rule is made returnable forthwith. Heard finally by consent of learned counsel appearing for the parties.
2. Criminal Application (APL) No.970/2020 is filed challenging First Information Report No.150/2019 dated 30.05.2019 filed by one Pradeep Nagre. Criminal Application (APL) No.997/2019 is filed challenging the First Information Report No.151/2019 dated 14.05.2019 for an offence punishable under Sections 395, 307, 354, 452, 323 and 506 of the Indian Penal Code, registered with Police Station Officer, Police Station Deulgaon Raja, District Buldana.
3. Pending both applications, it appears that the complainants and accused have arrived at settlement and copy of the said settlement is produced on record. The Advocates appearing for both applications identified the signatures on the said Settlement Deed. In the said settlement deed, it has been stated that both First Information Reports, are filed due to

misunderstanding between the family. To maintain good relations in the future, they are settling their dispute. Settlement Deed itself also states that the parties to the Settlement Deed shall withdraw the cases for an offence registered against each other.

4. We have gone through the contents of the First Information Reports and we have satisfied that the offences alleged against the applicants are personal in nature and no element of public law is involved in the said offences and it cannot be said that the offences are against the society.

5. Considering the judgment of Hon'ble Apex Court in the case of Narinder Singh Vs. State of Punjab reported in 2014 AIR SCW 2065. We are satisfied that both the First Information Reports deserve to be quashed and set aside. We are, therefore, pass the following order:

First Information Report No. 151/2019 registered for an offence punishable under Sections 395, 307, 354, 452, 323, 506 and 376 (1)(n) of the Indian Penal Code with Police Station Officer, Police Station Deulgaon Raja, District Buldana and First Information Report No.150/2019 registered for an offence punishable under Sections 395, 307, 294, 336, 341, 427, 452, and

506 of the Indian Penal Code are quashed and set aside, subject to complainants shall deposit an amount of Rs.10,000/- each with the Chief Minister Covid Fund within a period of four weeks from the receipt of order and produce receipt of the said before Registry of this Court, failing which, both Criminal Application Nos.970/2020 and 997/2020 shall stand dismissed without further reference to this Court.

6. Rule is made absolute in the above terms. The applications stand disposed of accordingly.

JUDGE

JUDGE

R.S. Sahare