

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

CRIMINAL WRIT PETITION NO. 914 OF 2019

(Mr. Vijay s/o Narayan Deshpande & Ors. vs. The State of Maharashtra thr. PSO, Police
Station Dhantoli, Nagpur & Anr.)

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

Court's or Judge's orders.

Shri P.A. Abhyankar, Advocate for the petitioners.
Shri C.A. Lokhande, APP for respondent No. 1.
Shri B.P. Bhatt, Advocate for respondent No. 2.

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**CORAM : P.N. DESHMUKH &
PUSHPA V. GANEDIWALA, JJ.
JANUARY 29, 2020.**

Heard Shri P.A. Abhyankar, Advocate for the petitioners, Shri C.A. Lokhande, APP for respondent No. 1 and Shri B.P. Bhatt, Advocate for respondent No. 2.

The learned counsel for the parties make a statement that in compliance to earlier order dated 11.11.2019, to compensate the State, the petitioners have deposited Rs.40,000/- (Rs. Forty thousand only) with the Registry of this Court.

Statement made as aforesaid, is accepted.

The learned counsel for respondent No. 2 has filed an affidavit. A perusal of said affidavit would reveal that the issue is resolved between the

parties. It is stated in the affidavit that on the basis of report lodged by respondent No. 2, the crime was registered against the petitioners for offence punishable under Sections 420, 468, 471 read with Section 34 of the Indian Penal Code, of which charge sheet vide R.C.C. No 3034 of 2009 is pending with the competent court. However, pending the prosecution, the matter is amicable resolved and Memorandum of Understanding is entered between the parties on 04.11.2010, copy of which is placed on record, having one of the terms therein that respondent No. 2 shall render assistance for withdrawal of proceedings pending on the file of J.M.F.C., Court No. 2, Nagpur. Accordingly, present affidavit is filed.

Considering the aforesaid facts and as parties intend to maintain cordial relations in future, relying upon the law laid down in the case of Narinder Singh & Ors. vs. State of Punjab & Anr. reported in (2014) 6 SCC 466, wherein the Hon'ble Apex Court has observed that if the parties have settled the dispute and no element of public loss is involved, they can be permitted to compound the offence, we find it to be a fit case for quashing the charge sheet.

In the circumstances, Criminal Writ Petition stands disposed of as allowed in terms of

prayer clause (1) thereof.

JUDGE

JUDGE

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