

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

CRIMINAL APPLICATION (APL) NO. 698 OF 2013

Ku. Payal D/o. Diwakar Narayane,
Aged about 22 years, Occ. : Student,
R/o. Plot No.36, Bhagwan Nagar Road,
Rameshwari Square, P.S. Ajni, Nagpur.

.... **APPLICANT.**

// VERSUS //

1. State of Maharashtra,
Through Police Station Officer,
Police Station, Pratapnagar,
Nagpur.
2. Mr. Farid Illias Chini,
Aged 26 years, Occ.: Business,
C/o. Manapure Road, Malgujaripura,
Wardha, Tahsil and Dist. Wardha.

.... **NON-APPLICANTS.**

Shri H.N.Bhondge, Advocate for Applicant.
Shri S.J.Kadu, A.P.P. for Non-applicant No.1/State.
Shri A.Ananthkrishnan, Adv. h/f. Shri Rajnish Vyas, Adv. for N.A.No.2.

CORAM : Z.A.HAQ AND AMIT B. BORKAR, JJ.
DATED : OCTOBER 20, 2020.

ORAL JUDGMENT : (Per : Z.A.Haq, J.)

1. Heard.

2. By this application under Section 482 of the Code of Criminal Procedure the applicant has prayed that F.I.R. No. 249 of 2013, registered with the Non-applicant No.1-Police Station for the offences punishable under Sections 384, 294, 506 and 34 of the Indian Penal Code be quashed. The First Information Report is registered on the complaint lodged by the non-applicant No.2. In 2013 there were several disputes between the applicant and the non-applicant No.2 and about five criminal applications were filed before this Court under Section 482 of the Code of Criminal Procedure, out of which we have disposed two Criminal Applications i.e. Criminal Application No. 82 of 2014 and Criminal Application No.388 of 2014.

3. This Criminal Application is pending since 2013. It was listed for final hearing on 12th October 2020 on which date it was adjourned on the request made by the learned Advocate for the applicant. Today, the learned Advocate for the applicant states that he has sent notice to the applicant, which is served on the applicant. However, the applicant has not given any response and therefore, he is not able to assist the Court for want of instructions. He states that he is not aware about further progress of the matter before the trial Court.

4. The learned A.P.P. states that the trial is at the stage of recording of evidence.

5. In the above circumstances, we are of the view that the applicant is not interested in prosecuting the Criminal Application, perhaps may be for the reason that this Court has not granted interim order while admitting the Criminal Application for final hearing.

Hence, the Criminal Application is **dismissed**.

(AMIT B. BORKAR, J)

(Z.A.HAQ, J)

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