

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CRIMINAL APPLICATION NO. 976 OF 2021

SANJAY BHAGIRAM SHINDE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Jaiswal Nikhil D.
APP for Respondent No.1-State : Mr. G. O. Wattamwar
Advocate for Respondent No.2 : Mr. R. C. Bramhankar

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**CORAM : V. K. JADHAV AND
SHRIKANT D. KULKARNI, JJ.
DATED : 05th AUGUST, 2021**

ORDER :-

1. Heard both sides.
2. It appears that by order dated 24.02.2021 in Criminal Application No. 2374 of 2020, the Division Bench of this Court (Coram: T. V. Nalawade & M. G. Sewlikar, JJ.) has quashed the FIR bearing No.316 of 2020. However, learned APP submits that though the charge-sheet came to be submitted on 05.01.2021, it was not brought to the notice of this Court at the time of quashing of the FIR.

3. Let it be as it is. However, once the crime bearing No. 316 of 2020 has been quashed by this Court in terms of the order dated 24.02.2021 in Criminal Application No. 2374 of 2020, the charge-sheet filed earlier to that requires to be quashed. The said order dated 24.02.2021 came to be passed on the basis of the settlement arrived at between the parties. In view of the same, even if the charge-sheet is filed, continuation of the proceedings would be nothing but an abuse of the Court process. In view of the same, we pass the following order:

ORDER

I. The Criminal Application is allowed in terms of prayer clause (B).

II. The Criminal Application is accordingly disposed off.

(SHRIKANT D. KULKARNI, J.)

(V. K. JADHAV, J.)