

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2222 OF 2020

Chandrakant s/o LaxmanKambale
Age 61 years, occ. Pensioner
R/o House No. 44, Bagroja Hudco
Delhi Gate, Tq. & Dist. Ahmednagar

Applicant

Versus

1. The State of Maharashtra
Through Police Station Officer,
Topkhana Police Station
Ahmednagar, Dist. Ahmednagar

2. Santosh Bhimrao Kale
Age 45 years, occ. Business
R/o 619, Chitale road,
Tq. & Dist. Ahmednagar

Respondents

Mr. R.S. Kasar, Advocate for applicant.
Mr. A.V. Deshmukh, APP for respondent No. 1.
Mr. S.r. Zambare, Advocate for respondent No. 2.

**CORAM : T.V. Nalawade &
M.G. Sewlikar, JJ.**

DATE : 25th February, 2021.

ORAL JUDGMENT : (Per T.V. Nalawade, J.)

1. Rule. Rule made returnable forthwith.

2. By consent, heard both the sides for final disposal at

admission stage.

3. Present proceeding is filed for relief of quashing and setting side CR No. 7558/2020 registered with Tophkhana Police Station, Dist. Ahmednagar for the offence punishable under Sections 403, 406, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 465, 468 and 469 of the Indian Penal Code.

4. During argument, learned counsel for the applicant and learned counsel for respondent No. 2 – informant submitted that the parties have settled the dispute. Reply-affidavit to that effect containing the terms of settlement is filed on record. It is the contention of the informant that he gave the complaint due to misconception and misunderstanding. He has no objection to grant the aforesaid relief in favour of the applicant.

5. By way of precaution, this Court had asked the learned APP to find out antecedents of the applicant. The report submitted by learned API, Tophkhana Police Station, shows that there are no such antecedents against the applicant. The report further shows that one case under Section 138 of the Negotiable Instrument Act is

filed against the applicant.

6. In view of these circumstances and as the dispute is settled, this Court pass the following order :-

ORDER

- i) Application is allowed.
- ii) Relief is granted in terms of prayer clause 'B'.
- iii) Rule made absolute in those terms.

(M. G. SEWLIKAR)
Judge

(T.V. NALAWADE)
Judge

dyb