

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

CRIMINAL APPLICATION (APL) NO.229 OF 2021

1. Champalal S/o. Premlal Shahu,
Aged about : 52 Years,
Occupation : Business,
R/o. House No.69, N.R. Primary School,
Sindhikhana, Near S. T. Stand,
Ganeshpeth, Nagpur.
 2. Deepak S/o. Dattatraya Wakode,
Aged about : 43 Years,
Occupation : Collection Manager,
authorized officer Kotak Mahindra
Prime Limited (Bajaj Nagar Branch),
Bajaj Nagar, Nagpur.
-APPLICANTS**

// VERSUS //

State of Maharashtra,
Through Police Station Bajaj Nagar,
District : Nagpur.

.... NON-APPLICANT

Shri Kaustubh Deogade, Advocate for the applicants.
Ms. Mayuri Deshmukh, A.P.P. for the non-applicant.

CORAM : Z. A. HAQ AND AMIT B. BORKAR, JJ.

DATE : 12.02.2021.

ORAL JUDGMENT : [PER: Z. A. HAQ, J.]

1. Heard.
2. **Rule.** Rule made returnable forthwith.
3. The accused (applicant No.1) and the informant (applicant No.2) have jointly filed this application under Section

482 of the Code of Criminal Procedure praying that the First Information Report registered against the applicant No.1 with the non-applicant-Police Station for the offences punishable under Sections 406, 420, 467, 468, 471, 472, 387, 506 and 365 of the Indian Penal Code be quashed.

4. According to the applicants, the matter is amicably worked out and the applicant No.2 (informant) does not have any grievance against the applicant No.1 (accused). It is stated in the application that the applicant No.2 (informant) does not want to pursue the matter. The application is signed by both the applicants and is also supported by the affidavits of the accused as well as the informant. The charge-sheet is not yet filed.

5. Considering the facts of the case, in our view, keeping the criminal proceedings pending against the applicant No.1 (accused) will not serve any fruitful purpose and may be a futile exercise. Hence, we deem it fit to exercise jurisdiction under Section 482 of the Code of Criminal Procedure.

6. Hence, the following order :-

The First Information Report registered with the non-applicant-Police Station against the applicant No.1 vide Crime No.140/2018 for the offences punishable under Sections 406, 420,

467, 468, 471, 472, 387, 506 and 365 of the Indian Penal Code is quashed

Rule is made absolute accordingly.

The amount of Rs.25,000/- (Rs. Twenty Five Thousand Only) deposited by the applicant No.1 with the Registry of this Court be given to the Office of Government Pleader, High Court Bench at Nagpur.

(AMIT B. BORKAR, J)

(Z.A.HAQ, J)

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