

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

CRIMINAL APPLICATION (APL) NO.301 OF 2021

1. Mohd. Naved Saifi S/o. Shahid Nadim,
Aged about 24 years, Occ. - Nil,
Plot No.778, Saifi Nagar, Mominpura,
Nagpur.
2. Shabazkhan S/o. Kuddus Khan,
Aged about 22 years, Occ.-Nil,
In front of Asha Kirana Stores,
Bhaldarpura, Gandhibag, Nagpur.
3. Angadsingh S/o. Harvindersingh Mulla,
Aged about 22 years,
R/o. Plot No. 158A, Gurunanakpura,
Dr. Ambedkar Marg, Nagpur.

....APPLICANTS

// VERSUS //

State of Maharashtra,
Through P. S. O., Pachpaoli P S.,
District - Nagpur.

.... NON-APPLICANT

Shri E. S. Sahasrabuddhe, Advocate for the applicants.
Ms. Mayuri Deshmukh, A.P.P for the non-applicant/State.

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

DATE : 18.02.2021.

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

1. Heard.
2. **Rule.** Rule made returnable forthwith.
3. The accused (applicant No.3), the informant and the
victim (applicant Nos.1 and 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. 3 (accused) vide Crime No.512/2020, with the non-applicant – Police Station for the offences punishable under Sections 147, 148, 149, 307, 323 and 504 of the Indian Penal Code be quashed.

4. According to the applicants, the dispute is amicably worked out by the applicants, and the applicant Nos.1 and 2 (informant and victim) do not have any grievance against the applicant No.3 (accused). The investigation is at preliminary stage and charge-sheet is not yet filed.

5. It is pointed out that as per the report lodged by the applicant No.1, the First Information Report was registered against Jaspreetsingh Gurdeepsingh Tuli also, who had filed Criminal Application (APL) No.147/2021, which is allowed by this Court by judgment dated 02.02.2021 and the First Information Report against Jaspreetsingh Gurdeepsingh Tuli (shown as accused No.5 in the First Information Report) is quashed. According to the applicants, the incident occurred out of a trivial issue and the applicants i.e. accused, informant and victim have amicably worked out the matter. It is stated that the applicant Nos.1 and 2 are not interested in prosecution of the applicant No.3. It is further stated that any other crime is not registered against the applicant No.3.

The applicant No.3 is young man aged about 22 years. The Criminal Application is supported by the affidavits of all the three applicants.

6. In the above facts, we are of the view that keeping the criminal proceedings pending against the applicant No.3 (accused) would not serve any fruitful purpose.

7. Hence, the following order :-

The First Information Report No.512/2020 registered against the applicant No.3 - Angadsingh S/o. Harvindersingh Mulla with the non-applicant – Police Station for the offences punishable under Sections 147, 148, 149, 307, 323 and 504 of the Indian Penal Code is quashed.

8. Rule is made absolute accordingly.

CRIMINAL APPLICATION (APPP) NO.306/2021.

In view of disposal of main application, Criminal Application (APPP) No.306/2021 for grant time to file legible copy of the First Information Report does not survive. Hence, it is disposed.

JUDGE

JUDGE