

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

Criminal Application (APL) No.383/2020

(Dr. Raviraj Pande V State of Maharashtra and another)
and

Criminal Application (APL) No.357/2020

(Smt. Madhuri Pande and another V State of Maharashtra and another)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.B. Mirza, Adv for applicants.

Mr. Khan, APP for State.

Ms Parita Lakhani, Adv h/f Mr. Ashok Tathod, Adv for non-applicant no.2.(APL 357/20)

Mr. PS Girdekar, Adv for non-applicant no.2 (APL 383/20)

CORAM : M.S. SONAK & PUSHPA V. GANEDIWALA, JJ.

DATE : 21-12-2021.

Heard Mr. A.B. Mirza, learned Counsel for the
applicants in both these applications.

2. Mr. Mirza, learned Counsel points out that both these matters were referred to Mediation and now the settlement has been arrived at between the parties. He invites our attention to the Joint Settlement Pursis and submits that based thereon the impugned First Information Report (FIR) may be quashed.

3. Ms Parita Lakhani, learned Counsel appearing on behalf of non-applicant no.2 in both these applications also confirms that the matters have been settled and the non-applicant no.2 will have no objection for quashing the impugned FIR.

4. Having regard to the laid laid down by the Hon'ble Apex Court in **B. S. Joshi v. State of Haryana, 2003 (4) SCC 576**, we see no difficulty in quashing the impugned FIR subject, no doubt, to the payment of costs.

5. According to us in the facts of the present case, costs of Rs. 25,000/- would be reasonable.

6. Dr. Raviraj Pande the applicant in Criminal Application (APL) No.383/2020 states that this costs will be paid by him within one week from today in favour of the High Court Bar Association Library, Nagpur.

7. This statement is accepted. This costs will represent in both the matters.

8. Accordingly, both the criminal applications are allowed and the impugned FIR No.584/2020 dated 19-06-2020 registered against the applicants in both these applications under Sections 498-A, 504, 506 r/w 34 of the Indian Penal Code are hereby quashed.

9. The order of quashing will take effect from the date

the costs are deposited with the High Court Bar Association Library, Nagpur and proof of such deposit/receipt is filed in these proceedings.

10. If the costs are not paid or deposited within one week from today then both these applications shall deem to have been dismissed without further reference to this Court.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)