

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

Criminal Application (APL) No.421/2020

(Gaurav 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. U.P Dable, Adv for applicant.

Mr. Khan, APP for State.

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

DATE : 21-12-2021.

Heard learned Counsel for the parties.

2. Learned Counsel for the applicant as well as non-applicant no.2 jointly submit that the parties have settled the dispute among themselves. The learned Counsel for non-applicant no.2 submits that it is on account of misunderstanding the First Information (FIR) came to be lodged against the applicant and the non-applicant no.2 no longer wishes to pursue the FIR.

3. The FIR in this case had lodged for the offences punishable under Sections 324, 504 r/w 34 of the Indian Penal Code (IPC). The offences alleged are personal to the complainant and therefore, following the law laid down by the Hon'ble Apex Court in the case of **Narinder Singh and others vs State of Punjab and another** reported in (2014) 6 SCC 466, we see not difficulty in quashing the impugned FIR subject to payment of costs.

4. The learned Counsel for the applicant, on instructions, states that costs of Rs. 5000/- will be paid by the applicant within one week in favour of the Vidarbha Lady Lawyer's Association, High Court, Bench at Nagpur.

5. Statement is accepted.

6. The impugned FIR No.170 dated 30-09-2018 registered at Bajaj Nagar Police Station, Nagpur is hereby quashed.

7. The order of quashing will take effect upon payment of costs by the applicant and production of proof/receipt in this proceeding.

8. If the costs are not paid within one week then this application deemed to have been dismissed without further reference to this Court with costs of Rs. 5000/-.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)