

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

CRIMINAL APPLICATION (APL) NO. 360 OF 2019

(Kanta w/o Shrawan Makde & Ors. Vs. State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. Meena Hiwase, Advocate for the applicants.
Mr. S.M. Ghodeswar, A.P.P. for respondent No.1.
Mr. R.I. Thanvi, Advocate for respondent No.2.

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**CORAM : M.S. SONAK &
PUSHPA V. GANEDIWALA, JJ.
OCTOBER 28, 2021.**

Heard. Rule. Rule is made returnable forthwith at the request and with the consent of the learned counsel for the parties.

2] This is an application for quashing of the First Information Report No. 113/2019 registered at the Police Station Shanti Nagar, Nagpur for the offences punishable under Sections 406, 419 and 420 read with Section 34 of the Indian Penal Code.

3] The applicants and respondent No.2 are present before this Court and submit that they have deposited Rs.20,000/- as directed by this Court vide order dated 26/11/2019.

4] The learned counsel for the parties jointly submit that the parties have settled their dispute out of the Court and that respondent No.2

does not wish to proceed further in the aforesaid crime.

5] We have personally interviewed the parties present before this Court and we are of the considered view that continuation of criminal proceedings against the applicants would be an abuse of process of law.

6] Having regard to the settlement between the parties, so also considering the law laid down by the Hon'ble Supreme Court in the case of **Narinder Singh and Others Vs. State of Punjab and another**, (2014) 6 SCC 466, we are inclined to allow the application. Hence, the following order :

ORDER

i] The Criminal Application is allowed.

ii] The First Information Report No. 113/2019 registered at the Police Station Shanti Nagar, Nagpur for the offences punishable under Sections 406, 419 and 420 read with Section 34 of the Indian Penal Code, is quashed and set-aside, *qua* the present applicants.

(PUSHPA V. GANEDIWALA, J.)

(M.S. SONAK, J.)