

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

CRIMINAL WRIT PETITION NO. 787 OF 2021

(Sanjay s/o Vishwanath Chamat, Nagpur Vs. The 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.

Mr. Madhur Deo, Advocate for the petitioner.
Mr. V.A. Thakre, A.P.P. for respondent No.1.
Mr. Vivek Bharadwaj, Advocate for respondent No.2.

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CORAM : M.S. SONAK &
PUSHPA V. GANEDIWALA, JJ.
OCTOBER 29, 2021.

Heard. Rule. Rule is made returnable forthwith. Heard finally with the consent of learned counsel for the parties.

2] This petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure seeking quashment of the First Information Report No. 383/2021 registered at Police Station Kotwali, District Nagpur for the offences punishable under Sections 341, 447, 454 and 457 of the Indian Penal Code.

3] The learned counsel for the parties state that the matter has been amicably settled between the parties and that the parties have no grudge against each other. That as per the terms of settlement between the parties, respondent No.2

accepted Rs.5,00,000/- towards full and final amount towards settlement.

4] Considering the nature of crime and 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 of the clear opinion that continuation of criminal proceedings against the petitioner in this matter would be an abuse of process of law. Hence, the following order :

ORDER

i] The petition is allowed.

ii] The First Information Report No.383/2021 registered at Police Station Kotwali, District Nagpur for the offences punishable under Sections 341, 447, 454 and 457 of the Indian Penal Code, is quashed and set-aside, subject to the petitioner depositing costs of Rs.15,000/- (rupees fifteen thousand) with the High Court Legal Services Sub-Committee, Nagpur within a period of four weeks.

(PUSHPA V. GANEDIWALA, J.)

(M.S. SONAK, J.)

Sumit