

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

CRIMINAL APPLICATION (APL) NO. 1191 OF 2021

(Chaitanya Yugraj Girhepunje & Anr. Vs. State of Maharashtra)

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

Court's or Judge's orders.

Mr. S.S. Bhende, Advocate for the applicants.
Mr. V.A. Thakre, A.P.P. for the respondent.

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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. 406/2014 registered at
the Police Station Rajapeth, District Amravati for the
offences punishable under Sections 279, 337 and 338
of the Indian Penal Code and Section 184 of the
Motor Vehicles Act, so also the consequent criminal
proceedings arising out of the said F.I.R.

3] The learned counsel for the applicants
submits that the dispute has been amicably settled
between the parties, and therefore, prayed for
quashing of the aforesaid F.I.R.

4] Both the applicants are present before
this Court. We have interviewed them, and applicant

No.2 states that he does not wish to proceed with his complaint.

5] Having regard to the law laid down by the Hon'ble Supreme Court in the case of **B.S. Joshi and others Vs. State of Haryana and another, (2003) 4 SCC 675**, we are applying the same to the fact situation in this matter and we allow this application and quashed the aforesaid F.I.R. so also the consequent criminal proceedings arising out of the said F.I.R.

6] The order of quashing will however take effect only if applicant No.1 deposits with the High Court Legal Services Authority an amount of Rs.10,000/- (rupees ten thousand) towards costs within three weeks from today.

7] If this amount is not deposited and proof of payment filed, then this application shall be deemed to have been dismissed without further reference to this Court.

8] Rule is made absolute in the aforesaid terms. There shall be no order as to costs.

(PUSHPA V. GANEDIWALA, J.)

(M.S. SONAK, J.)