

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

Criminal Application (APL) No.1395/2021

(Pratiksha and others V State of Maharashtra)

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

Court's or Judge's Orders

Mr. M.D. Samel, Adv for applicants.

Mr. Khan, APP for State.

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

DATE : 23-12-2021.

Heard learned Counsel for the parties.

2. The applicant no.1 is present in the Court, applicant no.2 is not present in the Court but his father applicant no.4 is present in the Court. He holds the power of attorney on behalf of respondent no.2. The remaining applicants are present in this Court .

3. The learned Counsel for the parties as well as the parties present state that they have settled the dispute amongst themselves and such terms of settlement have also been placed on record at Annexure-'C' to this petition. The learned Counsel for the applicant no.1 as well as the applicant no.1 who is present in the Court state that the applicant no.1 does not wish to pursue her complaint any further.

4. Having regard to the law laid down by the Hon'ble Supreme Court in **B. S. Joshi v. State of Haryana, 2003 (4) SCC**

576, we accept this joint petition and quash the impugned FIR bearing No.272/2019 and proceeding No.RCC No.859/2020 pending before the Additional Chief Judicial Magistrate, Nagpur. The quashing shall however be subject to the applicants paying costs of Rs. 50,000/- in favour of the Vidarbha Lady Lawyers Association, Nagpur.

5. The order of quashing will take effect from the date of such costs are paid and proof of payment is filed in this Court.

6. Learned Counsel for the parties based on instructions state that applicant no.1 will pay costs of Rs. 25,000/- and the remaining applicants will pay Rs. 25000/- as costs today itself and necessary proof of payment will be filed in this Court.

7. The learned Counsel for the applicant nos 2 to 5 also states that these applicant have today paid to the applicant no.1 Rs. 50 lakhs through Cheque No.000138 issued by HDFC Bank, Tilak Nagar, Nagpur Branch dated 20-12-2021. The learned Counsel states that this payment is in terms of the settlement arrived at between the parties and produced in this petition of Annexure 'C'.

8. The application is disposed of in the aforesaid terms.

(Pushpa V. Ganediwala, J.)

(M.S. Sonak, J.)