

3. By this petition, the petitioner seeks quashing of the FIR bearing C.R. No. 50 of 2022, registered with the Ozar Police Station, Nashik Rural, for the alleged offences punishable under Sections 323, 420, 504, 506 and 34 of the Indian Penal Code. Quashing is sought on the premise, that the parties have amicably settled their dispute.

4. Perused the papers. The respondent No.2 (original complainant), running a Bhel Chivda Centre, learnt from the people coming to his Bhel Chivda Centre, that by playing online games on mobile, he could earn huge money. Pursuant to the said information, the respondent No.2 went to meet the petitioner in his office. According to the respondent No.2, the petitioner informed him, that if he plays online Bingo Roulette, he would get a chance to win rewards i.e. money, in a short time. It appears that the respondent No.2, lost money in the said game, pursuant to which, the aforesaid FIR was lodged, as against the petitioner. We are informed that the petitioner has already paid a sum of Rs.50,000/- to the respondent No.2, for the loss that had taken place. We are informed that till date,

charge-sheet has not been filed in the said case.

5. Learned Senior Counsel for the petitioner submits that apart from the respondent No.2 (original complainant), there are no allegations as against the petitioner that he induced any other person/ persons to play online games. Learned APP also does not dispute the same.

6. During the pendency of the aforesaid C.R., the parties amicably settled their dispute and the respondent No.2 has received a sum of Rs.50,000/-. The respondent No.2 has filed his consent affidavit dated 15th September 2022, duly notarised before the notary. In the said affidavit, the respondent No.2 has stated that the dispute has been settled for a sum of Rs.50,000/- and as such, he has no objection to the quashing of the aforesaid FIR. Respondent No. 2 is present in Court. On questioning, he re-iterates what is stated by him in his affidavit. He does not dispute having received a sum of

Rs.50,000/- from the petitioner. Learned counsel for the respondent No. 2 has tendered a self attested xerox copy of the aadhar card of the respondent No. 2. The same is taken on record. Learned Counsel for the respondent No.2 has identified the respondent No.2 and the learned APP has verified the aadhar card of the respondent No.2.

7. Learned Senior Counsel has tendered an additional affidavit of the petitioner dated 12th October 2022. The same is taken on record. In the said affidavit, the petitioner has stated that he will not indulge in any gambling activities in the future. He has also stated that nor he will induce any one to gamble. The said statement made by the petitioner in the additional affidavit, is accepted.

8. Considering the nature of dispute, the amicable settlement between the parties, the affidavit filed by the respondent No.2 and having regard to what is stated aforesaid, there is no impediment in allowing the petition.

9. The petition is accordingly allowed and the FIR bearing C.R. No. 50 of 2022, registered with the Ozar Police Station, Nashik Rural, is quashed and set-aside.

10. The petitioner to deposit a sum of Rs.5,000/-, with the **Central Police Welfare Fund bearing Account No. 914010029005759, IFSC No. UTIB0000060,** as costs. The said costs to be deposited within three weeks from today.

11. Rule is made absolute in the aforesaid terms. Petition is disposed of accordingly.

12. Stand over to **9th December 2022,** for recording compliance of the said deposit of costs.

13. All concerned to act on the authenticated copy of this order.

R. N. LADDHA, J.

REVATI MOHITE DERE, J.