

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

CRIMINAL APPLICATION (APL) NO.846 OF 2022

Akash s/o Ashok Laghe,
age : 23 years, occupation :
student, r/o Rokdia Nagar,
Shegaon, Taluq Shegaon,
District Buldana.

... Applicant

- Versus -

1) The State of Maharashtra,
through Police Station Officer,
Khamgaon Rural, Taluq Khamgaon,
District Buldana.

2) Tejaswini Sushil Vairale,
r/o Garadgaon, Taluq Khamgaon,
District Buldana.

... Non-applicants

Shri S.M. Awahar, Advocate for applicant.

Smt. K.S. Joshi, Additional Public Prosecutor for non-applicant no.1.

CORAM : SUNIL B. SHUKRE AND
M.W. CHANDWANI, JJ.

DATED : DECEMBER 19, 2022

ORAL JUDGMENT (PER SUNIL B. SHUKRE, J.) :

Rule. Rule is made returnable forthwith. Heard finally
by consent of the learned Counsel appearing for the parties.

2) The various offences, such as those punishable under Sections 354-A, 354-D, 354, 452 and 323 of Indian Penal Code have been registered against the applicant at Police Station, Khamgaon Rural on the basis of the complaint lodged by the non-applicant no.2. Now the applicant and non-applicant no.2 have reconciled their differences and have also entered into an amicable settlement, thereby agreeing to withdraw all allegations made by them against each other, which includes withdrawal of the criminal complaint filed against the applicant at the behest of the non-applicant no.2.

3) The joint compromise pursis signed by both of them is placed on record. We have gone through it and it reflects voluntary nature of settlement arrived at between applicant and non-applicant no.2. Both of them are personally present before the Court and they are identified by Shri Awahar, learned Counsel for the applicant. Both of them state that the settlement effected by joint compromise pursis has been voluntarily entered into between them and its terms and conditions are acceptable to them. It appears that the first information report is the result of some private dispute in between them. Both the applicant and non-applicant no.2 have also decided to have harmonious relations in between them.

4) All the above facts indicate that it would be better for the future relations between applicant and non-applicant no.2, who are residents of the same neighbourhood, that the settlement arrived at between them is accepted and given effect to by this Court. Accordingly, we allow the application in terms of its prayer clause (B) and hereby quash and set aside the First Information Report bearing Crime No.178/2022 registered against the applicant so also the charge-sheet filed against the applicant, subject to the condition that the applicant shall deposit an amount of rupees five thousand and the non-applicant no.2 shall deposit an amount of rupees two thousand as costs in the Account of Government Pleader's Office, High Court of Bombay, Nagpur Bench, Nagpur so as to form part of the "Library Fund" for the purpose of development of Library, within two weeks, failing which the costs so imposed upon applicant and non-applicant no.2 shall be recovered by the Registrar (Judicial) by treating them as fine in accordance with law.

5) Rule is made absolute in the above terms.

JUDGE

JUDGE