

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

CRIMINAL APPLICATION (APL) NO.698/2018

1. Amit s/o Ramdas Hole,
aged about 31 years, Occ. Service,
r/o B-501, Blit Icon, Ganesh Nagar,
Nidhar Raimoti Eng. College,
Wagholi, Pune 212207.
2. Manoj s/o Ramdas Hole,
aged about 33 years, Occ. Service,
r/o Harankhed, Tq. Malkapur,
Dist. Buldhana.
At present, Ganesh Nagar,
Nidhar Raimoti Eng. College,
Wagholi, Pune 212207.
3. Ramdas s/o Hari Hole,
aged about 68 years, Occ. Farmer,
r/o Harankhed, Tq. Malkapur,
Dist. Buldhana.
4. Gajanan s/o Jagannath Kolhe,
aged about 50 years, Occ. Service,
r/o Harankhed, Tq. Malkapur,
Dist. Buldhana.
At present Akola, r/o Backside of
Adv. Gandhi House, Akola.
5. Shrikrishna s/o Jagannath Kolhe,
Aged 47 years, Occ. Private Job,
r/o Chandan Nagar, Malkapur,
Tq. Malkapur, Dist. Buldhana.
6. Pramod s/o Ravinda Bhole,
aged 40 years, Occ. Service.
7. Kalpana s/o Pramod Bhole,
Aged 35 yeas, Occ. Housewife,
r/o Talaswada, Tq. Malkapur,
Dist. Buldhana.

8. Ravindra s/o Kashinath Patil,
aged 60 years, Occ. Business,
r/o Akola, Tq. Dist. Akola.

.....APPLICANTS

...V E R S U S...

1. The State of Maharashtra through
Police Station Officer, P.S. Khamgaon,
Buldhana.
2. Vipin Anil Ingale,
aged 22 years, Occ. Teacher,
r/o Arunodaya Nagar, Jalamb Road,
Khamgaon, Khamgaon City,
Dist. Buldhana.

.....NON APPLICANTS

Ms Garima Jain, Advocate for applicants.

Mrs.M. H. Deshmukh, A.P.P. for non applicant no.1

Mr. R. N. Badhe, Advocate for non applicant no.2.

CORAM:- V. M. DESHPANDE AND G. A. SANAP, JJ.
DATED :- 07.01.2022

ORAL JUDGMENT (PER: V. M. Deshpande, J.)

1. Heard. Admit. Heard learned counsel for the parties.
2. This is an application for quashing First Information Report No.307/2018, registered with Police Station, Khamgaon City, District Buldhana for an offence punishable under Section 420, 218 read with Section 34 of the Indian Penal Code.
3. During the pendency of this application, notices were issued. After non applicant no.2 put in his appearance in this

proceeding, the matter was sent for mediation by consent of the parties. Before the learned Mediator, the parties have settled their dispute as Medication Case No.26/2021 was registered. In pursuance to the mediation, applicants as well as non applicant no.2 have executed an agreement. Said agreement is duly signed by the applicants, non applicant no.2, learned counsel for applicants, learned counsel for non applicant no.2 and also the learned Mediator.

4. Today when the matter was taken up for further consideration, Mr. Badhe, learned counsel for original complainant submitted that the parties have already acted upon the settlement and now there is no dispute. He also submitted that non applicant no.2 has received the amount as agreed by the applicants. It is also stated before the Court that even now the parties are leading their respective lives happily.

5. In view of the settlement that was arrived at between the parties before the learned Mediator and the parties have acted upon the same, we are of the view that continuance of criminal proceedings will seriously prejudice the applicants. Hence, we pass the following order.

ORDER

- (i) The application is allowed.
- (ii) First Information Report No.307/2018, registered with Police Station, Khamgaon City, Dist. Buldhana, for an offence punishable under Sections 420, 418 read with Section 34 of the Indian Penal Code is hereby quashed and set aside.

The application is disposed of.

JUDGE**JUDGE**

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