

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

CRIMINAL APPLICATION (APL) NO.1533 OF 2022

Shoukat Chand Mulla,
age 58 years, occupation : business,
r/o Plot No.102, 103, Gosiya
Housing Society, in front of
Parveen Kabadli, Tajbagh, Nagpur.

... Applicant

- Versus -

- 1) State of Maharashtra, through
Police Station Officer, Police Station,
Tiroda, District Gondia.
- 2) Sunilkumar Somaji Tidke,
age 47 years, occupation : building
material supplier, r/o Adarsh
Colony, B.M. Patel Ward,
Gondia, District Gondia.

... Non-applicants

Shri N.R. Tekade, Advocate for applicant.

Shri I.J. Damle, Additional Public Prosecutor for non-applicant no.1.

Shri J.B. Gandhi, Advocate for non-applicant no.2.

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

DATED : NOVEMBER 25, 2022

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

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

2) We have perused the first information report and out of Court settlement amicably reached between applicant, who is an accused in Crime No.1001/2022 registered at Police Station, Tiroda on the basis of the complaint lodged by the non-applicant no.2.

3) On going through the allegations in the first information report and also the terms of the settlement between these two persons, we are of the opinion that the dispute underlying the first information report is of private nature and, therefore, this case would be covered by the parameters of *Narinder Singh and others vs. State of Punjab and another* {(2014) 6 SCC 466}.

4) The applicant and the non-applicant no.2 both are personally present in the Court and they are identified by their respective Counsel. They endorse to the terms of settlement between them (Annexure P-2 page 15) and further state that the settlement has been reached between them voluntarily.

- 5) In view of above, the criminal application is allowed in terms of its prayer clause (A), which reads as follows :

“A] quash and set aside the First Information Report dated 19.9.2022 registered by non-applicant no.1 Police Station vide Crime No.1001/2022 against the applicant in view of the fact that parties have settled their disputes amicably and in the interest of justice.

- 6) Rule is made absolute in the above terms. No costs.

JUDGE

JUDGE

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