

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 547 OF 2023

Parmeshwar s/o Sandu Kolte

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. S. A. Ambad, Advocate for the applicant.

Mr. M. M. Nerlikar, APP for the State.

Mr. M. P. Kale, Advocate for respondent No. 2.

**CORAM : SMT. ANUJA PRABHUDESSAI &  
R. M. JOSHI, JJ.**

**DATE : 23<sup>rd</sup> FEBRUARY, 2023.**

PER COURT :

1. This is an application under Section 482 of the Code of Criminal Procedure to quash the First Information Report bearing No. 188/2018 registered with CIDCO Police Station and RCC No. 1115/2019 arising therefrom, pending on the file of learned Judicial Magistrate First Class, Aurangabad for the offences punishable under Sections 354(A)(1) and 506 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the First Information Report lodged by respondent No. 2. She had alleged that on 31<sup>st</sup> May, 2018 at about 5.30 pm, the applicant herein had asked her to come with him on his motorcycle and when she refused, the

applicant forcibly made her sit on his motorcycle. Based on such allegations, the aforestated crime came to be registered.

3. Learned counsel for applicant and respondent No. 2 state that both the parties have settled the dispute amicably. The respondent No. 2 has placed on record the affidavit wherein she has stated that she and applicant No. 1 are working in the same Department and they have decided to settle the dispute amicably to avoid enmity and discord between them. She has given no objection to quash the First Information Report lodged against the applicant and the criminal proceedings emanating therefrom. Respondent No. 2 is present before the Court. She confirms the contents of the affidavit and states that she has no objection to quash the proceedings against the applicant.

4. In our considered view, the settlement is genuine and voluntary. Considering the nature of the offence, which is of private nature, and also considering that both the parties have settled the dispute amicably, in our considered view, this is a fit case to exercise powers under Section 482 of the Code of Criminal Procedure to secure the ends of justice. Hence, the application is allowed. First

Information Report bearing No. 188/2018 registered with CIDCO Police Station and RCC No. 1115/2019 pending on the file of learned Judicial Magistrate First Class, Aurangabad for the offences punishable under Sections 354(A)(1) and 506 of the Indian Penal Code are hereby quashed, subject to the payment of cost of Rs. 10,000/- each by the applicant and respondent No. 2 within a period of two weeks. The amount of cost be paid to the library, Advocates' Association of Bombay High Court, Bench at Aurangabad.

**( R. M. JOSHI)**  
**Judge**

**( SMT. ANUJA PRABHUDESSAI)**  
**Judge**

dyb