

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

987 CRIMINAL APPLICATION NO.866 OF 2023

GOKUL ASHOK TARTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicants : Mr.Shinde Tushar Chandrakant
APP for Respondents: Mr. M.M. Nerlikar
Advocate for Respondent no.3 : Mr. N.N. Bhagwat
.....

**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.**

DATED : 20th JUNE, 2023.

PER COURT :-

1. Heard.
2. This application has been moved for quashment of the FIR, being Crime No.0904 of 2022 registered with Police Station, Shevgaon for the offences punishable under sections 353, 332, 323, 504, 506 read with 34 of the Indian Penal Code.
3. Respondent No.2 – informant has filed his affidavit giving his consent for allowing the application.
4. Since the informant himself is before the Court giving express consent to quash the FIR, allowing the prosecution to

continue against the applicants, would be an abuse of process of the Court. Moreover, interest of justice demands grant of the application.

5. In the result, the application is allowed in terms of prayer clause "B", subject to costs of Rs.15,000/- (Rupees Fifteen Thousand), to be deposited by applicants together to the High Court Legal Services Sub-Committee Aurangabad within one week.

6. List on 27th June, 2023 for compliance of the order.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)

sga/