

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

CRIMINAL APPLICATION [APL] NO. 387 OF 2021.

Aniket s/o Prakash Chandekar,
Aged about 30 years,
Occupation – Business,
resident of Near Water Tank,
Near Netaji Chowk, Babupeth,
Chandrapur, Tahsil and District
Chandrapur.

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APPLICANT.

VERSUS

1.The State of Maharashtra,
Through Police Station Officer,
Police Station Durgapur,
Tahsil and District Chandrapur.

2.Shila w/o Panjabrao Tajne,
Aged about 61 years,
Occupation – Housewife,
resident of Khanekwadi Tukum,
Tahsil and District Chandrapur.

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NON-APPLICANTS.

Mr. A. Deshmukh, Advocate for the Applicant.
Mr. M.J. Khan, A.P.P. for Non-applicant No.1 /State.
Mr. A.R. Wagh, Advocate for Non-applicant No.2.

**CORAM : VINAY JOSHI AND
VALMIKI SA MENEZES, JJ.**

DATE : FEBRUARY 16, 2023.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Considering the controversy involved in the matter, and by consent of the learned Counsel appearing for the respective parties, Criminal Application is taken up for final disposal at the stage of admission.

Admit.

2. By this application, the applicant is seeking to quash the first information report bearing Crime No.398/2020 registered with Non-applicant No.1 – Durgapur Police Station, Chandrapur for the offence punishable under Section 420 of the Indian Penal Code.

3. It was the grievance of the informant that she was desirous to educate her son at abroad. The applicant assured her to

arrange for hostel facility at abroad, and for that purpose received an amount of Rs. 1,29,000/-, which he failed to repay, therefore, the first information report was lodged alleging an offence of cheating.

4. During the pendency of this application, parties have amicably settled the dispute. The applicant has paid the entire sum to the informant, and therefore, she has filed reply-affidavit stating that the matter is settled. The informant also gave no objection for quashing of the first information report. The informant is personally present before the Court. She has been identified by her Counsel. She has agreed to the settlement arrived.

5. The dispute is purely of private nature and predominantly monetary one. It has been amicably resolved between the parties, therefore, no purpose would be served in continuing the criminal prosecution. In view of that, Criminal Application is allowed and disposed of.

6. The first information report bearing Crime No.398/2020

registered with Non-applicant No.1 – Durgapur Police Station, Chandrapur for the offence punishable under Section 420 of the Indian Penal Code is hereby quashed and set aside.

JUDGE

JUDGE