

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 564 OF 2023

APPLICANT : Gajanfar Ali Khan
Aged about 84 years, occu-Retired,
R/o Plot No.37, Hariom Nagar,
Gorewada, Nagpur.

V E R S U S

NON-APPLICANTS :1. State of Maharashtra,
Through Police Station Mankapur,
Dist. Nagpur.

2. Khizar Khatib Khalid Khatib
Aged 30 years, Occ.Private
R/o Ward No.1, Kalamb, Yavatmal.

3. Sagar Rameshwar Shirbhate
Aged 36 years, Occ. Private
R/o Ward No.5, Gandhi Chauk,
Kalamb, Yavatmal.

4. Farah Deebea Khan
R/o Near Lalita Convent,
Gorewada, Nagpur

Mr. M.N.Ali, Advocate for applicant.
Mr. V.A.Thakre, Additional Public Prosecutor for respondent No.1.
Mr. P. Mirza, Advocate for respondent Nos.2 to 4.

**CORAM:- VINAY JOSHI AND
BHARAT P. DESHPANDE, JJ.
DATED : 13/04/2023.**

ORAL JUDGMENT : (PER VINAY JOSHI, J.) :

1. **Admit.** Heard finally with the consent of learned

counsel appearing for the parties.

2. This is an application seeking to quash FIR in Crime No.50/2023 dated 15.3.2023 registered with Police Station Mankapur, Nagpur City for the offences punishable under Sections 380, 448 and 454 of the Indian Penal Code, on account of settlement between the parties.

3. The applicant himself has lodged FIR alleging that the non-applicant nos.2 to 4 who are his relatives have made criminal trespass and stolen sum of Rs.10,000/-. The parties are related to each other. Non-applicant no.4 is daughter in law of the applicant, whilst Non-applicant no.2 is brother of non-applicant no.4 and Non-applicant no.3 is friend of non-applicant no.2. Since it was a family dispute, the parties have amicably settled and therefore, the applicant (informant) himself has come to this Court for seeking to quash FIR. Non-applicant nos.2 to 4 are present, obviously they have no objection for quashing of FIR.

4. The dispute is of family nature which cannot be termed as heinous. For betterment of relations, pendency of criminal prosecution would become an hurdle. The ends of justice

would be secured by quashing the FIR, as it would help to maintain harmony within the family.

5. In view of above facts, we hereby allow the application and quash and set aside the FIR in Crime No.50/2023 dated 15.3.2023 registered with Police Station Mankapur, Nagpur City for the offences punishable under Sections 380, 448 and 454 of the Indian Penal Code.

[BHARAT P. DESHPANDE, J.]

[VINAY JOSHI, J.]

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Signed By: MUKUND
LAXMANRAO AMBULKAR
Private Secretary

Signing Date: 17.04.2023 12:35