

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

CRIMINAL APPLICATION [APL] NO. 663/2023.

1.Lalit Nandlal Bais,
Aged 49, Occupation
Property Dealer, Resident
of Matrusmurti Nagar, Khat
Road, Bhandara.

2.Manoj Prakash Navkhare,
Aged 33, Occupation – Labour,
resident of Gandhi Ward, Near
Hanuman Mandir, Ganeshpur,
Bhandara.

3.Prashant Bhaurao Wahane,
Aged 36, Occupation Labourer,
resident of Gujrati Colony,
Ganeshpur, Bhandara.

... **APPLICANTS.**

VERSUS

1.State of Maharashtra,
through Police Station Officer,
Bhandara, Tahsil and District
Bhandara.

2.Dinesh Bhagatji Akre,
Aged 39, Occupation – Property
Dealer, resident of Shanaya Nagar,
Kesalwada Road, Bhandara.

... **NON-APPLICANTS.**

Mr. I.A. Fidvi, Advocate for Applicants.
Mr. N.R. Rode, A.P.P. for Non-applicant No.1 /State.
Mr. A.A. Potnis, Advocate for Non-applicant No.2.

CORAM : VINAY JOSHI AND
VALMIKI SA MENEZES,, JJ.
DATE : AUGUST 02, 2023.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Admit. Heard finally by consent of the learned Counsel appearing for the respective parties.

2. This is an application seeking to quash the first information report bearing Crime No.263/2020 registered with Bhandara Police Station for the offence punishable under Sections 452, 504, 506 read with Section 34 of the Indian Penal Code, as well as related charge sheet bearing R.C.C. No.1930/2020 pending on the file of the Judicial Magistrate First Class-1, Bhandara, on account of settlement.

Rgd.

3. The informant had agreed to purchase a piece of land from accused no.1 for a consideration for Rs.27.85 lakhs. The entire amount was paid by the informant. However, later on it was learnt that a civil dispute was going in respect of the subject property. After realizing the facts, the informant had approached to applicant no.1 – Lalit who gave a cheque in lieu of refund of amount, however, it was dishonored, and therefore, the report.

4. The parties have mutually settled the dispute. The informant has received the amount from applicants and now he has no grievance against them. The informant was personally present before the Court on last date of hearing and has stated about settlement and his no objection to quash the first information report.

5. The dispute appears to be of a civil nature, having no social impact. No purpose would be served in continuing with the trial. In view of above, Criminal Application is liable to be allowed. Hence, the following order.

Rgd.

ORDER

- [i] Criminal Application is allowed and disposed of.
- [ii] The first information report bearing Crime No.263/2020 registered with Bhandara Police Station for the offence punishable under Sections 452, 504, 506 read with Section 34 of the Indian Penal Code, as well as related charge sheet bearing R.C.C. No.1930/2020 pending on the file of the Judicial Magistrate First Class-1, Bhandara, is hereby quashed and set aside.

JUDGE

JUDGE