



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

CRIMINAL APPLICATION [APL] NO. 1289/2023.

Chirag Ajay Bansod. ... Applicant.

-Versus-

1.State of Maharashtra
and others. ... Non-applicants.

.....
Shri Y.B. Mandpe, Advocate for the Applicant.
Shri S.M. Ghodeswar, A.P.P. for Non-applicant Nos.1 and 2.
Shri K. Dhoble, Advocate h/f. Shri R. Kadu, Advocate for Non-applicant
No.3.

.....

CORAM : NITIN W. SAMBRE AND
VALMIKI SA MENEZES, JJ.
DATE : SEPTEMBER 14, 2023.

P.C.

Heard.

2. Prayer in the applicant is for quashing of the first information report bearing Crime No.185/2022 registered on 22.03.2023 with Police Station Jaripatka, Nagpur for an offence punishable under Sections 420 and 406 of the Indian Penal Code and related charge sheet No.180/2022

with Regular Criminal Case No.3712/2022.

3. In view of the stand taken by the investors, this Court on 05.09.2023 passed an order thereby taking investors affidavit on record that they are in receipt of amounts which the applicant has accepted towards investments, and that they have no objection for quashing of the crime in question.

4. This Court accordingly directed the learned A.P.P. to take instructions.

5. Shri Ghodeswar, learned A.P.P. appearing for the respondent – investigating officer has placed on record a communication dated 12.09.2023, issued by the Assistant Sub-Inspector, Cyber Cell, Nagpur City wherein it is stated that all the investors who came forward to claim the amounts, have settled the matter with the applicant.

6. Mr. Mandpe, learned Counsel for the applicant states that apart from these investors, if any other investor comes forward seeking settlement of claim, the applicant is duty bound to look into the same and settle the same.

7. In view of the aforesaid the statement, being made on instructions, is accepted.

8. In view of the stand taken by the investors, who are complainants and the fact that the investors have acknowledged receipt of the amount which they have invested, no purpose would be served in

keeping the prosecution pending or making the applicant to face the prosecution as against the charge sheet in question.

9. Having regard to the law laid down in case of ***Gian Singh vs. State of Punjab and another*** reported in ***(2012) 10 SCC 303*** and ***Narinder Singh & Ors. Vs State of Punjab & Anr.*** reported in ***(2014) 6 SCC 129***, we deem it appropriate to allow the prayer of the applicant. That being so, with above observations, Criminal Application stands allowed in terms of prayer clause (1).

(VALMIKI SA MENEZES, J.)

(NITIN W. SAMBRE, J.)