

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1580 OF 2023

Ankush Ramdas mane And Anr. ...Applicant

Versus

The State Of Maharashtra And Anr. ...Respondents

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Mr. Dhairyasheel Sutar a/w Ms. Anjali Shaw, Adv. Kiran Kulkarni, Mr. Deepak Jain, Advocate for the Applicants.

Adv. Swatantri Waghmare, Advocate for Respondent No.2.

Mr. M.M. Deshmukh, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 14th FEBRUARY, 2024.

P.C.:

1. Not on board. Taken on board.
2. The Applicants are challenging the First Information Report (for short 'FIR') dated 5th October, 2023 registered with Wadgaon Police Station, Kolhapur vide C.R. No.610 of 2023 for offence under Sections 39 and 45 of Maharashtra Money Lending (Regulation) Act, 2014 and Section 452, 506 r/w 34 of Indian Penal Code (for short 'IPC'). The FIR was registered at the instance of Respondent No.2.

3. Similar FIRs were registered against the Applicants vide C.R. No.611 of 2023 and C.R. No.612 of 2023 with same Police Station by different complainant.

4. It is submitted that there is settlement between the Applicants and Respondent No.2/complainant. The FIR may be quashed with the consent of complainant.

5. The complainant is present in the Court. He filed affidavit of consent. He has no objection for quashing the impugned FIR.

6. In the affidavit of Respondent No.2 it is stated that the Respondent No.2 had borrowed some amount from the Applicants as friend. The amount was paid by cash. The Respondent No.2 had paid entire amount of money to the Applicants. It was decided to resolve the dispute and he has no objection to allow this criminal application and quashed and set aside the FIR lodged by him.

7. Similar FIRs were registered with the same Police Station for offences under Sections 39 and 45 of Maharashtra Money Lending (Regulation) Act, 2014 and 452, 506 r/w 34 of IPC. Since the parties had settled the dispute, the FIRs registered with the same Police Station vide C.R. No.611 of 2023 and 612 of 2023 were quashed by this Court vide Order dated 20th December, 2023 passed in Criminal Application No.1581 of 2023 and Criminal

Application No.1577 of 2023.

8. Considering the aforesaid circumstances, the impugned FIR can be quashed.

ORDER

- i. Criminal Application No.1580 of 2023 is allowed;
- ii. First Information Report dated 5th October, 2023 registered with Wadgaon Police Station, Kolhapur vide C.R. No.610 of 2023 is quashed and set aside.
- iii. The Applicants shall pay cost of Rs.15,000/- each to Advocates Association of Western India Generation Next within two weeks from today. The Account details are as under:

Account Name : Advocates Association of Western India
Generation Next.

Account No. : 000110110007807

Bank Name : Bank of India

Branch Name : Mumbai Main

IFSC Code : BKID0000001

- iv. Application stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)