



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

CRIMINAL APPLICATION (APL) NO. 62 OF 2024

Nitin @ Bablu Bhagwant Gade
 Aged about 29 years,
 Occupation : Labourer,
 R/o. Yashoda Nagar No.1,
 Rukhmani Nagar, District – Amravati.

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... Applicant

Versus

1. State of Maharashtra,
 Through P.S.O, P.S. Frezarpura,
 Tah. & Dist. Amravati.
 2. Harshal Shivcharan Borkar
 Aged 33 years,
 Occupation : Taxi Driver,
 R/o. Near Lane No.3,
 Near Dhore Clinic, Kalyan Nagar,
 Amravati.

}

... Non-applicants

Mr. P.V. Navlani, Advocate for applicant.
 Mr. Anup Badar, APP for non-applicant No.1.
 Mr. R. Siddharth, Advocate for non-applicant No.2.

CORAM : VINAY JOSHI, AND
SMT. VRUSHALI V. JOSHI, JJ.
DATE : 15.01.2024.

ORAL JUDGMENT: (PER: Vinay Joshi,J)

Heard finally by consent of both the learned counsel
 for the parties.

(2) **Admit.**

(3) This is an application seeking to quash FIR in Crime No.788/2023, registered with Police Station Frezarpura, District Amravati, for the offences punishable under Sections 294, 506(2) of the Indian Penal Code, on account of settlement to the extent of applicant only.

(4) It is the informant's case that on the date of occurrence at midnight while he was in his house, both accused came to him and abused him in filthy language. Moreover, he has been threatened at the point of a knife and therefore, the report. In the meantime, the informant realised that at midnight he could not see properly and thus, under misconception, he stated the name of the applicant as one of the culprit. In view of that, the informant settled the dispute with applicant and filed a reply to that extent. The informant is present before us and stated that under the misconception, he has stated the name of applicant and thus, due to settlement, he do not wish to prosecute against him.

(5) After reading the entire report, it appears that the

allegations did not travel beyond abuses and threats. Apparently, the offences cannot be termed as against the society. In view of that, we find no difficulty in exercising our inherent jurisdiction.

(6) The criminal application is allowed. We hereby quash and set aside FIR in Crime No.788/2023, registered with Police Station Frezarpura, District – Amravati, for the offences punishable under Sections 294, 506(2) of the Indian Penal Code, to the extent of applicant - Nitin @ Bablu Bhagwant Gade, only.

[VRUSHALI V. JOSHI, J.]

[VINAY JOSHI, J.]

Prity