



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

CRIMINAL APPLICATION NO.132 OF 2024

Nasir Sayyed Mohammad Ashiq, Aged
about 29 years, Occ. Labour R/o
Machiwala House, Prajapati Nagar,
Pardi, Nagpur.

... APPLICANTS

VERSUS

1. The State of Maharashtra, through
Police Station Officer, Police Station,
Pardi, Nagpur.
2. Payal Mushtaq Sayyad, aged about
28 years, Occ. Household, R/o.11-B,
Bhandewadi Road, Near Nagoba
Mandir, Jai Ambe Nagar, Nagpur. .

... NON-APPLICANTS.

Mrs. M.M. Worke, Advocate for the applicant.
Shri Pathan, Addl.PP for the State.
Mrs. S.Paul, Advocate for non-applicant no.2.

CORAM : VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.
DATED : 05.02.2024.

ORAL JUDGMENT : (Per : Vinay Joshi, J.)

Heard. ADMIT.

2. The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.

3. This is an application seeking to quash the First Information Report in Crime No.410 of 2023 registered with the Pardi Police Station, Nagpur City for the offence punishable under Sections 324, 504 of the Indian Penal Code, on account of mutual settlement. Learned Counsel for the applicant would submit that the Police have not filed the charge-sheet.

4. The informant is the sister-in-law of the accused. They are residing in proximity. On 19.07.2023, in the evening, there was quarrel in between the accused and his brother, who is the husband of the informant lady. During said quarrel, the informant asked the accused for not to quarrel on which the accused by means of kitchen knife caused injury at the finger of the informant and therefore, the report.

5. Since the parties are closely related with each other, the matter has been mutually settled. The informant has filed reply-cum-affidavit about the settlement and gave her no objection to quash the proceedings. The informant lady is present before the Court, who has equally stated about the settlement and her no objection for quashing

the proceedings. Particularly, the informant stated that the applicant/accused is her brother-in-law and thus, to protect her matrimonial relations, it is in her interest to quash the proceedings.

6. The informant though sustained bleeding injury at finger however it was simple injury from which she recovered in proximity. The offence cannot be termed as heinous or anti social. Considering the relationship between the parties and the settlement, we are inclined to invoke our inherent jurisdiction to quash the proceeding, hence the following order :

(a) The Criminal Application is allowed.

(b) We hereby quash and set aside quash the First Information Report in Crime No.410 of 2023 registered with the Pardi Police Station, Nagpur City for the offence punishable under Sections 324, 504 of the Indian Penal Code.

7. The criminal application stands disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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