



Judgment

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

CRIMINAL APPLICATION (APL) NO. 136/2024

1. Mrs. Sarita w/o. Krunal Manwatkar,
Aged about 29 yrs., Occ. Housewife,
R/o. Plot No.116, Nari Road, Samta
Nagar, Nagpur, Dist. Nagpur-440013.
2. Mr. Krunal s/o Balakdas Manwatkar,
Aged about 36 yrs., Occ. Business,
R/o. Plot No.116, Nari Road, Samta
Nagar, Nagpur, Dist. Nagpur-440013.

... **APPLICANTS**

VERSUS

1. State of Maharashtra,
through the Police Station Officer,
Police Station Deolapar, Dist. Nagpur.
2. Shri Nitin s/o Surendra Jaiswal,
aged about 42 yrs., Occ. Business,
R/o. Ward No.2, Village Katta,
Deolapar, Tah. Ramtek,
Dist. Nagpur.
3. Shri Kishor s/o Ramlal Jaiswal,
Aged about 66 yrs., Occ. Business,
R/o. Ward No.1, at Post Deolapar,
Tah. Ramtek, Dist. Nagpur.

... **NON-APPLICANTS**

Mrs. P. Manthapurwar, Advocate for applicants.
Mrs. S.V. Kolhe, Addl. Public Prosecutor ('APP') for non-applicant
No.1.
Mr. A.C. Khare, Advocate for non-applicant Nos. 2 & 3.

**CORAM : VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.**

DATE : 22.01.2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard.

2. **Admit.**

3. This is an application seeking to quash First Information Report vide Crime No.395/2023 registered with Police Station Deolapar, Dist. Nagpur for the offence punishable under Sections 294, 504, 506 read with Section 34 of the Indian Penal Code on account of settlement.

4. At the instance of report, lodged by informant dated 09.9.2023, crime has been registered. It is informant's case that he has assigned eatery house to the applicants for running. The dispute arose for the reason of running eatery. The informant alleged that on 09.09.2023 in the afternoon, both applicants abused him in filthy language and gave threats, hence report.

5. In the meantime, the parties have amicably settled the dispute. The informant has filed affidavit stating that the matter has been settled and he has no objection to quash the proceeding. Both

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parties were present before us and identified by their Advocates. Both have stated about the settlement and no objection to quash the proceeding.

6. The offence cannot be termed as heinous or anti-social. It was a private dispute between two individuals occurred on account of vacating the premises. Since the dispute is settled, continuation of trial amounts to abuse of the process of the Court. The learned counsel appearing for applicants submits that the applicants would deposit sum of Rs. 10,000/- towards the cost for engaging police machinery.

7. In view of above, application is allowed. We hereby quash First Information Report vide Crime No.395/2023 registered with Police Station Deolapar, Dist. Nagpur for the offence punishable under Sections 294, 504, 506 read with Section 34 of the Indian Penal Code on account of settlement.

8. The applicants shall deposit sum of Rs. 10,000/- to the High Court Bar Association, Nagpur within a period of two weeks from today.

9. Application stands disposed of in above terms.
10. Stand over to 05.02.2024 for compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)