



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

CRIMINAL APPLICATION NO.251 OF 2024

Atul s/o Parasram Bhosale, aged
about 24 years, Occupation – Student,
R/o. Raj Township, Juni Vasti, Badnera,
Tah. And District Amravati.

... APPLICANT

VERSUS

1. State of Maharashtra, through
Police Station Officer, Police Station,
Badnera, Tah. And District –
Amravati.
2. Kavita w/ Umesh Watane, Aged
about 44 years, Occupation –
housewife, R/o Near Ayurvedic
College, Dhanwantari, Dastur Nagar,
Amravati, Tah. And district Amravati.
3. Kartik s/o Umesh Watane, Aged
about 22 years, Occupation –
Student, R/o Chatri Talav Road,
Dhanwantari Nagar, Amravati, Tah.
and District – Amravati.

... NON-APPLICANTS.

Shri P.V. Navlani, Advocate for the applicant.
Shri Narule, Addl. Public Prosecutor for the State.
Shri V.S. Uberoi, Advocate for non-applicant no.2.

CORAM : VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.
DATED : 05.03.2024.

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.888 of 2023 registered with the Badnera Police Station, Amravati City for the offence punishable under Sections 323 and 326 of the Indian Penal Code, on account of settlement.

4. It is the prosecution case that on the date of incident i.e. on 23.12.2023 injured Kartik went to the house of his friend where the applicant was also present. Since both were acquainted since long, there was some talk in which the injured asked as to who has defamed him. At the relevant time, the applicant with a small operation blade caused injury at the neck of the Kartik and ran away. Immediately, injured was admitted in the Hospital and thereafter, his mother has lodged the report.

5. During the course of investigation, the Police have obtained injury certificate. It reflects from the reply of the State that the injury was at external jugular vein at the neck of Kartik, who was discharged within two days. The matter has been amicably settled in between the parties since they are acquainted with each other. The informant as well as injured both have filed their reply-affidavit stating about the settlement and their no objection to quash the proceedings. It is stated that injured and victim are close friends taking education. There was a minor scuffle in between them and thus, considering long standing relationship, the matter has been settled.

6. Today, the informant as well as injured are present before us who are identified by their advocate. On inquiry both of them stated about the settlement and their no objection to quash the proceedings. Both have also stated that the hospital expenses have been borne by the applicant. On perusal of police papers, it reveals that the incident was outcome of a sudden quarrel between the friends. It reveals that the applicant went to his friends house where the injured also arrived. Moreover the nature of injury was not life threatening as the injured was recovered within two days. Both are educating having career ahead. In view of their close relationship, they have already settled the

dispute. The offence is of private in nature, which cannot be termed as heinous or anti social. The applicant expressed willingness to deposit costs of Rs.20,000/-.

7. In view of the above, we are inclined to exercise our inherent powers, hence the application is allowed. We hereby quash and set aside the First Information Report in Crime No.888 of 2023 registered with the Badnera Police Station, Amravati City for the offence punishable under Sections 323 and 326 of the Indian Penal Code.

8. The applicant shall deposit sum of Rs.20,000/- to the High Court Bar Association, Nagpur within two weeks from today.

9. Stand over to 20.03.2024 for noting compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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