



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

CRIMINAL APPLICATION (APL) NO.325/2021

1. Anil Vinayakrao Chaudhari,
aged about 61 Yrs., Occ. Retired.
2. Tushar Anilrao Chaudhari,
aged about 29 Yrs., Occ. Civil
Engineer.

Both 1 and 2 R/o Ward No.1,
Simbhora Road, Triveni Nagar,
Durgwada, Morshi, Tq. Morshi,
Distt. Amravati.

3. Gajanan Shriram Chaudhari,
aged about 49 Yrs., Occ. Private
Job, R/o Pipalpura, Morshi,
Tq. Morshi, Distt. Amravati.

... Applicants

- Versus -

1. The State of Maharashtra,
through Police Station Officer,
Morshi, Tq. Morshi,
Distt. Amravati.
2. Suresh Sahebrao Kale,
aged about 41 Yrs., Occ. Service,
R/o Gajanan Nagar, Kathida
Road Kandli, Tq. Paratwada,
Distt. Amravati.

... Non-applicants

Ms. Garima S. Jain, Counsel h/f Mr. S.V. Sirpurkar, Counsel for
the Applicants.

Mr. S.V. Narale, A.P.P. for Non-applicant No.1 / State.

Mr. A.S. Ambatkar, Counsel for Non-applicant No.2.

CORAM: VINAY JOSHI AND MRS. VRUSHALI V. JOSHI, JJ.
DATED : 23.4.2024.

ORAL JUDGMENT (Per Vinay Joshi, J.)

Heard. **Rule.** Rule made returnable forthwith.

Heard finally by consent of learned counsel for the parties.

2. This is an application seeking to quash F.I.R. in Crime No.0017/2021 registered by non-applicant No.1 for the offence punishable under Sections 353, 332, 323, 504 and 506 read with Section 34 of Indian Penal Code.

3. The informant was serving as a Wanpal. On 15.1.2021 the applicants have hurled some defamatory abuses and beat the informant and one labour namely Sunil Farkade and thus obstructed them while discharging their public duty.

4. Considering the relationship and to maintain peace and harmony the matter has been settled out of Court. The

informant has appeared and filed his affidavit stating that he has no objection to quash the proceeding. Injured labour Sunil Farkade also filed his affidavit stating about his no objection. The informant has appeared through learned Counsel and accepted the settlement.

5. The offence cannot be said to be heinous or antisocial. Since the matter is settled continuation of prosecution would amount to abuse of process of Court. In view of the above, we are inclined to exercise our inherent jurisdiction.

6. Application is allowed.

We hereby quash and set aside the F.I.R. in Crime No.0017/2021 registered by non-applicant No.1 for the offence punishable under Sections 353, 332, 323, 504 and 506 read with Section 34 of Indian Penal Code.

(MRS.VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)