



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

CRIMINAL APPLICATION (APL) NO.593/2024

Tushar S/o Balasaheb Naik,
aged about 37 Yrs., Occ. Housewife,
R/o Flat No.303, Satya Apartment,
Manish Nagar, Near Railway Crossing,
Somalwada, Nagpur.

... Applicant

- Versus -

1. The State of Maharashtra,
through P.S.O. P.S. Bajaj Nagar,
Nagpur.

2. Satish S/o Shridhar Joshi,
aged about 58 Yrs., Occ. Service,
R/o Plot No.201, Shri Nagar,
Apurva Residency, Nagpur.

... Non-applicants

Mr. A. S. Band, Counsel for the Applicant.
Mr. S.A. Ashirgade, A.P.P. for Non-applicant No.1.
Mr. Anand R. Agrawal, 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.0166/2022 registered by non-applicant No.1 for the offence punishable under Sections 409, 467, 477-A, 114, 424 of Indian Penal Code and Sections 43(A), 66(C) and 66(D) of Information Technology Act on account of settlement.

3. The police investigated the matter and filed chargesheet against remaining three accused vide Regular Criminal Case No.3113/2022. The matter has been amicably settled in between the parties. Remaining three accused have applied to this Court vide Criminal Application (APL) No.690/2023 for quashing on account of settlement. In said proceedings informant bank has filed affidavit stating that the entire amount has been received and they have no objection to quash the proceedings. Having regard to the settlement this Court vide order dated 18.3.2024 has quashed the criminal proceedings against remaining three accused.

4. The applicant was absconding at relevant time hence chargesheet was not filed. Advocate Mr. Anand R. Agrawal has appeared for informant and reiterated his earlier stand that informant has no objection to quash the proceedings against this applicant too. Already this Court has quashed the proceedings against principal accused. In view of above, we have no hesitation in invoking our inherent jurisdiction.

5. In view of the above, criminal application is allowed.

We hereby quash and set aside F.I.R. in Crime No.0166/2022 registered by non-applicant No.1 for the offence punishable under Sections 409, 467, 477-A, 114, 424 of Indian Penal Code and Sections 43(A), 66(C) and 66(D) of Information Technology Act against the applicant.

(MRS.VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)