



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

CRIMINAL APPLICATION (APL) NO.942 OF 2024

(Sayyed Mustafa Allah Baksh and others Vs. The State of Maharashtra thr. PSO PS
Gittikhadan, Nagpur and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. R. H. Rawlani, Advocate for Applicants.
Mr. M. K. Pathan, APP for Non-Applicant No.1/State.
Mr. H. N. Hariramani, Advocate for Non-Applicant No.2.

CORAM: SMT. VIBHA KANKANWADI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATE: 29th JULY, 2024.

Present application has been filed under Section 482 of the Criminal Procedure Code for quashing the FIR vide Crime No.490/2024 registered with Gittikhadan Police Station, Nagpur for the offence punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code.

2. On the last date i.e. on 19.07.2024 non-applicant no.2 appears *suo motu* and filed reply with compromise deed. The parties were then asked to remain present before the learned Registrar (Judl.) for verification. Accordingly, he appears and report has been submitted by the learned Registrar (Judl.) regarding the identity of non-applicant no.2 and the confirmation of the settlement terms.

3. Perusal of the FIR would show that non-applicant no.2 alleged that he has been due for Rs.2,34,269/- by all four persons out of which three are before us. The informant in the reply says that the compromise deed was executed

on 27.06.2024. Copy of the said deed is produced on record. Though it is not specifically stated that in the compromise it appears that the amount which is alleged to have been taken from him has been given back to him otherwise in the normal course the complainant would not have allowed the compromise to be done.

4. Since the matter is amicably settled between the applicants and non-applicant no.2, we find this is a fit case where the powers under Section 482 of the Cr.P.C. needs to be exercised as against the applicants. Hence, the application stands allowed.

5. The FIR vide Crime No.490/2024 registered with Gittikhadan Police Station, Nagpur at the behest of non-applicant no.2 for the offence punishable under Sections 406 and 420 read with Section 34 of the IPC stands quashed and set aside.

6. We direct the applicant to deposit amount of Rs.30,000/- to the High Court Legal Services Authority Sub-Committee, Nagpur within a period of fifteen days from today.

7. Place the matter for further compliance on 19.08.2024.

(MRS. VRUSHALI V. JOSHI, J.)

(SMT. VIBHA KANKANWADI, J.)