



Judgment

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

CRIMINAL APPLICATION [APL] No. 1067/2024.

Krishnakumar @ Krishna s/o Mulchand
Thakrani, Age 37 years, Plot No.26,
Sushila Layout, Kushinagar,
Jaripatka, Nagpur.

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APPLICANT.

VERSUS

1.State of Maharashtra,
through the Police Station Officer,
Jaripatka Police Station,
Nagpur.

2.Omprakash s/o Bhimandas Thakrani,
Age 33 years, Occupation – Architect,
resident of Plot Nos. 90 and 91,
Rupam Society, Mateshwari Bhawan,
Jaripatka, Nagpur.

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NON-APPLICANTS.

Mr. S.B. Mohta, Advocate for the Applicant.
Mrs. K.H. Bhongde, A.P.P. for Non-applicant No.1/State.
Mr.M.G. Qubbawala, Advocate for Non-applicant No.2.

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

DATE : AUGUST 21, 2024.

ORAL JUDGMENT (PER VINAY JOSHI, J.) :

Heard. **Admit.**

By consent of the learned Counsel appearing for the parties, the matter is taken up for final disposal.

2. This is an application seeking to quash the first information report bearing Crime No.935/2023 registered with Jaripatka Police Station, Nagpur for the offence punishable under Sections 452, 294 and 506[2] of the Indian Penal Code. It is informant's case that the applicant, who is his cousin brother, has made criminal trespass at his house on 17.12.2023, abused him in filthy language and threatened them of dire consequence, hence the report.

3. During the pendency of investigation the matter has been

Rgd.

amicably settled in between the parties. Particularly, the informant and applicant are cousin brother, hence to maintain cordial relations in the family, they have settled the dispute. The informant is present before the Court and has filed reply-cum-affidavit, stating to quash the proceeding. The informant is identified by his Counsel.

4. The alleged offence cannot be termed as heinous or antisocial. Having regard to the submissions, quashing of the prosecution would secure the ends of justice to maintain cordial relation in between the family.

5. The learned Counsel appearing for the applicant would submit that the applicant would deposit an amount of Rs.10,000/- towards costs for rotating the police machinery. In the circumstances, we proceed to pass the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.

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- (ii) The first information report bearing Crime No.935/2023 registered with Jaripatka Police Station, Nagpur for the offence punishable under Sections 452, 294 and 506[2] of the Indian Penal Code, is hereby quashed and set aside.
- (iii) The applicant to deposit an amount of Rs.10,000/- with the High Court Bar Association, Nagpur within a period of one week from today. The matter be placed before the Court on 30.08.2024, for noting compliance.

JUDGE

JUDGE