



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

CRIMINAL APPLICATION (APL) NO.833/2019

(Badadala Ramesh Ranga Reddy Vs. The State of Maharashtra 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. M.P. Kariya, Advocate for the applicant.
Ms. M.H. Deshmukh, A.P.P. for non-applicant No.1/State.
Mr. A.D. Sonak, Advocate for non-applicant No.2.

CORAM: VINAY JOSHI & MRS.VRUSHALI V. JOSHI, JJ.
DATED: 30.9.2024.

Heard.

2. This is an application seeking to quash chargesheet (R.C.C. No.1082/2021) arising out of Crime No.0355/2019 registered by non-applicant No.1 for the offence punishable under Section 420 of Indian Penal Code on account of settlement.

3. It is informant's case that out of business transaction the applicant had cheated him for sum of Rs.14,00,000/-. The investigation is complete and chargesheet has been filed. The informant has also filed a private complaint against the applicant in terms of Section 138 of the Negotiable Instruments Act pertaining to the said amount. In the said proceedings, the trial Court recorded conviction against the applicant's wife. The matter was carried in first appeal wherein the parties have arrived on the settlement. It was decided that the informant would cooperate for withdrawal of prosecution on account of settlement.

4. The informant is present before us who is identified by his Advocate Mr. A.D. Sonak. The informant has stated about settlement and his no objection to quash the

said proceedings. He has also filed affidavit-in-reply wherein he reiterated about the settlement. It was a private monetary transaction which resulted into filing a police report. Since the parties have amicably settled the matter, the continuation of prosecution would amount to abuse of process of Court. Though chargesheet has been filed, however, charges are not been framed. The applicant expressed his willingness to deposit Rs.10,000/- towards costs.

5. In view of above, application is allowed.
6. We hereby quash and set aside chargesheet (R.C.C. No.1082/2021) arising out of Crime No.0355/2019 registered by non-applicant No.1 for the offence punishable under Section 420 of Indian Penal Code on account of settlement.
7. Applicant shall deposit sum of Rs.10,000/- with the High Court Bar Association, Nagpur within two weeks.
8. Stand over to 15.10.2024 for noting compliance.

(MRS.VRUSHALI V.JOSHI, J.)

(VINAY JOSHI, J.)