



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

CRIMINAL APPLICATION NO.1272 OF 2024

Shri Naresh s/o Wadhuman Davani

..VS..

State of Maharashtra and anr.

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

Court's or Judge's orders

Shri K.N. Shukul, Advocate a/w Shri R.A. Bhandarkar, Advocate
for the applicant.

Mrs. Deshmukh, Addl.P.P. for the State.

Shri K.P. Mahalle, Advocate for non-applicant no.2.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 19/09/2024.

Heard.

2. This is an application seeking to quash the First Information Report No.299 of 2023 registered with the Sadar Police Station, Nagpur City for the offence punishable under Sections 385 of the Indian Penal Code, on account of settlement.

3. The informant has some financial transactions with one Pramod Manmode. The informant was desires to file a police report in that regard. The applicant assured him that he would assist in lodgment of report and for that raising demand of Rs.2.5 lakhs. Since the informant refused to pay, the applicant threatened to cause injury in case of non-fulfillment of demand. On the basis of threats and monetary demand, report has been lodged. The parties have amicably settled the dispute out of the Court. The informant has filed a reply affidavit stating that out of misunderstanding, the report has been lodged. The informant is present before the Court, who is

identified by his Counsel Shri Mahalle and he stated about the settlement and do not want to go on with the prosecution. Learned Counsel for the applicant undertakes to deposit sum of Rs.10,000/- towards costs for rotating police machinery.

4. Having regard to the nature of accusation, the offence cannot be termed as anti-social or heinous. It arose out of the commercial transaction. The parties have settled the dispute out of the court, therefore, we have no hesitation to exercise our inherent powers. In view of the above, we hereby quash and set aside the First Information Report No.299 of 2023 registered with the Sadar Police Station, Nagpur City for the offence punishable under Sections 385 of the Indian Penal Code.

5. The applicant shall deposit costs of Rs.10,000/- with the High Court Government Pleaders Library, Nagpur within two weeks.

6. Place the matter on 04.10.2024 for noting compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)