



Judgment

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

CRIMINAL APPLICATION [APL] No. 1514/2024.

Manik s/o Pundlik Ingle,
Aged about 69 years, Occupation
Retired, resident of Plot No.16, Omsai
Nagar, Near Chintamani Nagar,
Besa Road, Nagpur.

... **APPLICANT.**

VERSUS

1.State of Maharashtra,
through Police Station Ajni,
District Nagpur.

2.Sau. Veena Nitin Raut Ingle,
Aged about 35 years, resident of
Plot No.16, Omsai
Nagar, Near Chintamani Nagar,
Besa Road, Nagpur.

... **NON-APPLICANTS.**

Mr. K.Y. Mandpe, Advocate for the Applicant.
Ms Dhote, A.P.P. for Non-applicant No.1.
Mr. R.G. Nitnaware, Advocate for Non-applicant No.2.

CORAM : VINAY JOSHI AND
ABHAY J. MANTRI, JJ.

DATE : OCTOBER 24, 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.417/2024 registered with Ajni Police Station, Nagpur for the offence punishable under Section 109 of the Bhartiya Nyay Sanhita, 2023 and Sections 25 and 3 of the Arms Act, on account of settlement.

3. The facts of this case are somewhat unusual where a father has fired a bullet from his licensed gun on the leg of his son under fit of anger, which resulted into lodgment of the report by wife of the injured. She has lodged the report stating about the incident. It is

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informed that in usual household hustle, the applicant got annoyed, took out his licensed gun, fired at the leg of his son, and therefore the offence for attempt to commit murder has been registered. The investigation is complete and charge sheet is filed. Parties have settled the dispute out of Court.

4. It is informed that till date both parties are residing under the same roof, as they are father and son. Today the injured Nitin is present before us, who is accompanied by his wife [informant]. Both informant and injured have filed reply stating about settlement and no objection to quash the proceedings.

5. We are well aware that a dangerous weapon like gun is used by which the bullet was shot, which is an offence of concern. However, we are mindful of the fact that the parties are closely related to each other. The injured is son, whilst the applicant/accused is his father. Out of family disagreement, temper ran high in which the father has fired a bullet at the leg of his son by his licensed gun. It is informed that the injured was admitted in hospital for about 20-25

days, and is now discharged. The injured has stated before us that he has lost his job and now has been maintained by his father i.e. applicant/accused.

6. The learned A.P.P. has submitted that the police have already initiated proceeding for cancellation of the Arms Licence of the applicant. Moreover, it is updated that the 12 Bore Gun has also been seized by the police.

7. Considering the peculiarity of fact, we are inclined to invoke our inherent powers. In view of above, Criminal Application is allowed and disposed of. The first information report bearing Crime No.417/2024 registered with Ajni Police Station, Nagpur for the offence punishable under Section 109 of the Bhartiya Nyay Sanhita, 2023 and Sections 25 and 3 of the Arms Act, on account of settlement. is hereby quashed and set aside.

JUDGE

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