



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

CRIMINAL APPLICATION NO.1554 OF 2023

Abhyachandra s/o Dnyaneshwar Patil

..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 Y.B. Mandpe, Advocate for the applicant.

Shri Badar, Addl.P.P. for the State.

Ms. Parika Lakhani, Advocate for non-applicant no.2.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 24/09/2024.

Heard.

2. This is an application seeking to quash the charge-sheet bearing Regular Criminal Case No.69 of 2023 arising out of Crime No.91 of 2023 registered with the Umred Police Station, Nagpur Rural for the offence punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code on account of settlement.

3. The informant was contacted by main accused Prakash Gaikwad and by assuring him to allot the petrol pump has extracted huge sum. Since there was no allotment and promises turned to be false, report has been lodged.

4. The FIR bears a reference of the applicant however, it is stated that the applicant has also paid sum of Rs.1 lakh to main accused Prakash Gaikwad. Besides that there is nothing against the applicant nor it can be

treated as incriminating material.

5. Learned Additional Public Prosecutor has not contended any incriminating role of the applicant.

6. Apart from that parties have settled the dispute out of the Court. The informant has filed a reply stating that the matter is settled and do not wish to prosecute against the applicant Abhyachandra Patil, who is arraigned as an accused no. 3. The informant is present before the Court, who is identified by his Counsel Ms Lakhani. The informant reasserted his no objection before the Court. The informant also stated in his reply that the applicant has not duped in any manner. The offence cannot be termed as heinous or anti-social.

7. In view of above, the application is allowed. The Criminal Prosecution namely Regular Criminal Case No.69 of 2023 arising out of Crime No.91 of 2023 registered with the Umred Police Station, Nagpur Rural for the offence punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code is hereby quash and set aside to the extent of present applicant Abhyachandra Patil

8. The application stands disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)