



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

CRIMINAL APPLICATION (APL) NO. 1547 OF 2023

Manisha @ Minakshi w/o Yavraj Gichre
 Aged about 34 years, Occ. Safai Kamgar,
 R/o. Near Municipal College, Ward No.10,
 Kalmeshwar, Nagpur – 441 501.

} ... Applicant

Versus

1. State of Maharashtra,
 Through P.S.O. & Police Station Kalmeshwar,
 Nagpur .
2. Mr. Haridas s/o Ghanshyam Chamke
 Aged about 45 years, Occ. Service,
 C/o. Shriniketan Colony, Ward No.14,
 Police Station Kalmeshwar,
 Nagpur – 441 501.

} ... Non-applicants

Mr. Santosh B. Nimje, Advocate for applicant.

Ms. J.Y. Ghurde, APP for non-applicant No.1.

Mr. Kunal P. Nandurkar, Advocate for non-applicant No.2.

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

DATE : 24.01.2024

ORAL JUDGMENT: (PER: Vinay Joshi,J)

Heard finally by consent of both the learned counsel
 for the parties.

(2) Admit.

(3) This is an application seeking to quash the First Information Report bearing Crime No.126/2016 registered with Kalmeshwar Police Station, Nagpur for the offence punishable under Sections 353, 186, 504, 506 read with Section 34 of the Indian Penal Code along with charge-sheet No.209/2016 and RCC No.179/2016, on account of settlement in between the parties. The applicant is one of the accused in the said crime.

(4) The informant is present before us and filed reply/affidavit stating that the applicant had no role and thus, they have no objection to quash proceeding. We have already considered a similar aspect in Criminal Application (APL) No.149/2023 whereby we have quashed prosecution against co-accused Sau. Radha @ Arti w/o Arun Behuniya, who stands on a similar footing.

(5) In view of the above, continuation of prosecution against to abuse of the process of Court, hence, the following order :

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The First Information Report bearing Crime No.126/2016 registered with Kalmeshwar Police

Station, Nagpur for the offence punishable under Sections 353, 186, 504, 506 read with Section 34 of the Indian Penal Code along with criminal prosecution mentioned in RCC No.179/2016 and charge-sheet No.209/2016, is hereby quash and set aside as regards applicant – Manisha @ Minakshi w/o Yuvraj Gichre only.

[VRUSHALI V. JOSHI, J.]

[VINAY JOSHI, J.]

Prity