



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

CRIMINAL APPLICATION (APL) NO. 329 OF 2024

1. Alok Arvind Meshram, Age 41 years,
Occup. Business, R/o Quarter No.88,
Jaripatka Road, Near Triratna Buddha
Vihar, Bezanbag, Jaripatka, Nagpur.
2. Ashwin son of Ramesh Tagde, Age 36
years, Occup. Business R/o Plot No.44
Ring road Vittubaba Nagar, Sugat
Nagar, Near Buddha Vihar, Jaripatka
Nagpur.

Applicants

-Versus-

1. State of Maharashtra through Police
Station, Sonegaon, Nagpur.
2. Gajanan Pralhadrao Pawane, Age 54
years, Occup.Service, R/o 10/140,MIG
Colony, Medical Square Nagpur.

Non-applicants

Mr.R.S.Nayak, Advocate for the applicants.
Mr.S.A.Aashirgade, APP for non applicant No.1.
Mr.Dhananjay Choudhari, Advocate for non-applicant No.2.

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

DATE : 13th March, 2024

ORAL JUDGMENT (Per : Vinay Joshi, J.)

Heard.

2. **Admit.** The criminal application is heard finally with the consent of the learned counsel for the parties.

3. This is an application seeking to quash the First Information Report bearing Crime No.436 of 2023 dated 20.12.2023 registered with Police Station Sonegaon, District Nagpur City for the offences punishable under Sections 386,506 r/w 34 of the Indian Penal Code.

4. The informant is medical practitioner. He alleges that on 06.12.2023, at around 8.15 p.m. while he was closing his dispensary, the applicant No.1 accosted him and inquired about the wealth, which the informant has accumulated. The applicant No.1 demanded him Rs.2,00,000/-, failing which he would see the informant and his family. Not only that the applicant No.1 caused informant to go to ATM centre and forcibly required him to withdraw sum of Rs. 35,000/- and took it away. Not only that thereafter, there were repeated telephonic calls to the informant asking to clear the balance and therefore the report. The police have registered the crime and commenced the investigation.

5. In the meantime, the matter has been amicably settled between the parties. The informant stated that the applicant No.1 is his distant relative and considering the relationship as well as to maintain cordial relations he do not wish to prosecute the case. The informant has also filed an affidavit to that effect. The informant is present before us, who is identified by his Advocate Mr.Dhananjay Choudhari. On our query, informant stated that the dispute is settled and the applicant No.1 has returned the entire sum of Rs.35,000/-. The informant specifically stated that he has no grievance and the FIR may be quashed.

6. By and large, the occurrence appears to be of personal in nature which has no social impact. The applicant No.1 has already returned the entire money which was forcibly taken. There are no antecedents rather this would be the first failed attempt. The informant is not inclined to go on with the prosecution as both are resident of same vicinity.

7. At this juncture, we brought to the notice that due to mischievous act of applicant No.1, the police were required to register crime, visited various places, collected the documents and

carried the process of investigation. At this juncture, applicants learned counsel would submit that applicants would pay a sum of Rs. 25,000/- towards costs.

8. In view of above, we are inclined to exercise our inherent powers. The application is allowed. We, hereby quash and set aside the First Information Report bearing Crime No.436 of 2023 dated 20.12.2023 registered with Police Station Sonegaon, District Nagpur City for the offences punishable under Sections 386,506 r/w 34 of the Indian Penal Code.

9. The applicants shall deposit sum of Rs.25,000/- to the Government Pleaders Library, Nagpur High Court within a period of two weeks from today.

10. Stand over to 27.03.2024 for noting the compliance.

(VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)