



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION NO.377 OF 2024

Amit Navratan Bengani

..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 A. Mankar, Advocate for the applicant.
Ms. T. Udeshi, Addl.P.P. for the State.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 12/03/2024.

Heard.

2. This is an application seeking to quash the First Information Report bearing Crime No.475 of 2022 registered with the Gondia Rural Police Station, District Gondia for the offence punishable under Sections 406, 420, 465, 468, 471 of the Indian Penal Code.

3. It is the prosecution case that the informant has sold broken rice through the applicant to a party from Andhra Pradesh. The said goods were worth of Rs.38 lakhs. It is the informant's case that despite receipt of goods, payment was not made, hence the offence of breach of trust and cheating.

4. It is the applicant's contention that he is a broker. The transaction was purely of commercial nature. It is submitted that Memorandum of Understanding (MOU) was executed under which the applicant undertook to pay settlement amount of Rs.27.50 lakhs, which he has already paid. Copy of MOU as well as bank statements have been produced.

5. Issue notice to the non-applicants for final disposal, returnable on 15.04.2024. Learned Addl.P.P.

waives notice on behalf of the State.

6. In the meantime, investigation may go on but charge-sheet shall not be filed without obtaining leave of this Court.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

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