



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

CRIMINAL APPLICATION (APL) NO. 616 OF 2024

Dr. Uday S/o. Vinayak Navlekar,
Aged About – 54 Years, Occupation : Service,
R/o. Navprabhat Colony, Near Darda Nagar,
Yavatmal. **... APPLICANT**

...VERSUS...

1. State of Maharashtra,
Through Police Station Officer,
Police Station Kalamb, Dist. Yavatmal.
2. Smt. Durga Wd/o. Pramod Thakare,
Aged About – 46 Years, Occupation : Nil,
R/o. Village Nanza, Tahsil Kalamb,
Dist. Yavatmal. **...NON-APPLICANTS**

Mr. R. R. Vyas, Advocate for Applicant.
Mr. Nikhil Joshi, A.P.P. for Non-applicant/State.
Mr. Anirudh Ananthkrishnan, Advocate for Non-applicant No.2.

CORAM : SMT. VIBHA KANKANWADI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATED :- 14.06.2024

JUDGMENT (PER : MRS. VRUSHALI V. JOSHI, J.):-

1. Heard.
2. **ADMIT.** The matter is taken up for final disposal by consent of learned Counsel appearing for the parties.

3. This is an application seeking to quash charge-sheet (Sessions Case No.56/2021) arising out of First Information Report in Crime No. 0347/2020 registered with the Police Station Kalamb, District Yavatmal for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code on account of settlement.

4. The prosecution case in brief is as under :

The applicant is the President of one P. M. Ruikar Trust and where the deceased Pramod Thakare was working as a Superintendent in the boys hostel. The complainant is the wife of the deceased Promod Thakare. He has committed suicide on 09.04.2019 alleging that the applicant along with other persons harassed him mentally. The deceased has written a suicide note and stated that he was suffering mental harassment from last few months, which resulted in taking extreme step. The wife of the deceased has lodged the First Information Report and the crime has been registered. The investigation is complete and the charge-sheet has been filed.

5. In this case, the charge-sheet has been filed against the other two co-accused. The First Information is quashed against them on account of settlement. The applicant has also tried for quashment of the First Information Report. He made several attempts to get off the proceedings by filing discharge application and applying to this Court but

he could not succeed. The matter is settled out of the Court in between other co-accused and all the legal heirs of the deceased including the informant. While quashing the First Information Report of other co-accused Mr. Tongo, the note was taken by this Court that the accused have substantially compensated the family of the deceased. In the case of this applicant, the first informant - the non-applicant No.2 along with her son appeared before this Court and she has stated that as the First Information Report is quashed against the other co-accused, she has no grievance against this applicant and requested to quash the First Information Report.

6. The applicant has filed pursis along with demand draft on 14.06.2024 i.e. today stating that on the basis of amicable settlement, the applicant has compensated on his own on the humanitarian ground by handing over the demand draft of Rs.3,50,000/- of dated 12.06.2024 to the non-applicant No.2.

7. The informant i.e. non-applicant No.2 appeared through Counsel before this Court and has reiterated that the matter is settled and she do not want to prosecute against the present applicant also.

8. As the applicant has substantially compensated the non-applicant No.2 by handing over the demand draft of Rs.3,50,000/-, we

hereby quash and set aside the criminal prosecution being Sessions Case No.56/2021 arising out of First Information Report in Crime No. 0347/2020 registered with the Police Station Kalamb, District Yavatmal for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code against the present applicant also.

(MRS. VRUSHALI V. JOSHI, J.)

(SMT. VIBHA KANKANWADI, J.)