



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

CRIMINAL APPLICATION (APL) NO.1016 OF 2024

	Vishal Arunrao Bhoyar, Aged about 43 years, Occup. Private, R/o Plot No.32, Near Uday Nagar, NIT Garden, Galli No.2, Shrikrushna Nagar, Ayodhya Nagar, Nagpur-440024.	Applicant
	-Versus-	
1.	State of Maharashtra, through Police Station House Officer, Police Station Kalmana., Nagpur City, Tq. and Dist. Nagpur.	
2.	Smt. Prachi Sachin Malkhede, Aged about 33 years, occup. House wife R/o Plot No.49, Bhande Plot, Umred Road, Nagpur 440024.	Non-applicants.

Ms.S.Kapgate, Adv. for the applicant
Mr.Anup Badar, APP for the non-applicants.
Ms. V.K.Bisen counsel for non-applicant No.2.

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

DATE : 13th AUGUST, 2024

ORAL JUDGMENT (Per : Vinay Joshi, J.)

- (1) Heard.
- (2) Admit. The 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 vide Crime No. 07 of 2024 for the offences punishable under Section 418,419,420,468 and 471 of the Indian Penal Code registered with Police Station Kalmana, district Nagpur on account of settlement.
- (4) It is the informant's case that her father owns a four wheeler bearing registration No.MH-49-AE-1965. After the demise of her father the applicant, who is her real brother, by use of forged documents got transferred the ownership of car in his own name, therefore, the report.
- (5) There was a property dispute in between the bother and sister. The informant has filed Reg.C.S.No.704 of 2023 seeking various reliefs. In the said suit, the entire dispute was settled by way of entering into compromise. The informant lady has also filed an affidavit-cum-reply stating that the matter is settled and she do not wish to prosecute the criminal case. Now the car stands in the name of brother. The informant is present before us, who is identified by her counsel. She has reiterated that due to settlement she has no objection to quash the proceedings. In view of that,

continuation of prosecution amounts to abuse of the process of court.

(6) In view of above, the Criminal Application is allowed. We, hereby quash and set aside the First Information Report vide Crime No. 07 of 2024, for the offences punishable under Section 418, 419, 420, 468 and 471 of the Indian Penal Code registered with Police Station Kalmana, district Nagpur.

(7) Criminal Application stands disposed of.

(VRUSHALI V. JOSHI, J)

(VINAY JOSHI, J)