



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

CRIMINAL APPLICATION NO.1033 OF 2024

Ramlal @ Vinod Tanbaji Shambharkar and ors.

..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 N.R. Tekade, Advocate for the applicants.
Mrs. Jachak, Additional Public Prosecutor for the State.
Shri S.C. Shukla, Advocate for non-applicant no.2.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 06/08/2024.

Heard.

2. The applicants are seeking to quash the charge-sheet arising out of First Information Report No. 861 of 2021 registered with the Jaripatka Police Station, Nagpur City for the offence punishable under Sections 307, 326 read with Section 34 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, on account of settlement.

3. Though the FIR was registered for aforementioned offence, however later on provision of Section 307 of the IPC have been added. It is informed that in Trial Court evidence of only Panch Witness was recorded.

4. Issue notice to the non-applicants, returnable on 09.08.2024. Learned Addl.P.P. waives notice on behalf of the State.

5. The informant has appeared *suo motu* by waiving notice through Advocate. The informant has also

filed an affidavit stating that the matter has been settled. The Informant seeks time to file an affidavit of another injured.

6. The applicant's learned Advocate would submit that, today, the matter is fixed by the Trial Court for recording of the evidence of the complainant. Since the issue whether the matter can be quashed on settlement is pending, and the complainant is not interested to prosecute the matter, we direct the Trial Court to stay the proceedings till further orders.

7. Steno copy granted.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)

Trupti