



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

CRIMINAL APPLICATION (APL) NO. 1146 OF 2024

Mukesh S/o. Shrikrishna Mate,
Age – 36 yrs. Occupation : Private,
R/o. : Shri Krishna Niwas,
Dhangarpura, Hingna, Nagpur.

... APPLICANT

...VERSUS...

1. State of Maharashtra,
Through Police Station Officer,
Police Station, Hingna,
Hingna, Nagpur City.

2. Abhijeet S/o. Manohar Darvekar,
Age – 40 yrs.
Occupation : Electrical Contractor,
R/o. Plot No.20, Deo Nagar,
Police Station, Bajaj Nagar, Nagpur.

...NON-APPLICANTS

Mr. A. Ananthakrishnan with Mr. Atharva Dabli, Advocates for Applicant.
Mr. N. H. Joshi, A.P.P. for Non-applicant/State.
Mr. U. J. Deshpande, Advocate for Non-applicant No.2.

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

DATED :- **12.09.2024**

ORAL JUDGMENT (PER : VINAY 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 Criminal Proceedings namely R.C.C. No.366/2023 arising out of the First Information Report vide Crime No.333/2023 registered with Police Station Hingna, District Nagpur for the offences punishable under Sections 324, 323, 504 of the Indian Penal Code on account of settlement.

4. The informant Abhijeet Manohar Darvekar alleges that at the time of the occurrence on a public road while he was monitoring electric work, applicant came in a car and on minor argument, took out a stick and assaulted the informant at his hands. On account of said incident, the report is lodged. The parties have mutually settled the dispute. The counter case is also filed by the applicant, which is also settled between the parties. The learned Counsel for the applicant submits that the applicant would deposit sum of Rs.10,000/- towards costs for rotating police machinery

5. The informant is present before us, who is identified by his Counsel. He has filed a short reply stating that the matter is settled and he does not want to prosecute it. We have ascertained the contents to which he admitted. It reveals that it is a case of mere assault. To maintained cordial relations, parties have settled the dispute. The offence cannot be termed as heinous or anti social.

6. In view of the above, the application is allowed. We hereby quash and set aside the Criminal Proceedings namely R.C.C. No.366/2023 arising out of the First Information Report vide Crime No.333/2023 registered with Police Station Hingna, District Nagpur for the offences punishable under Sections 324, 323, 504 of the Indian Penal Code.
7. The applicant shall deposit sum of Rs.10,000/- towards costs with Government Pleader Library within a period of one week from today.
8. The matter be placed on 23.09.2024 for noting compliance.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)