



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION NO.1249 OF 2024

Kadar Saifuddin Husain 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 R.D. Hajare, Advocate for the applicants.
Mrs.K.H. Bhondge, Addl.P.P. for the State.

CORAM: VINAY JOSHI AND MRS.VRUSHALI V. JOSHI, JJ.
DATED : 03/09/2024.

Heard.

2. This is an application seeking to quash the First Information Report No.934 of 2024 registered with the Hinganghat Police Station, District Wardha for the offence punishable under Sections 506, 471, 468, 420 read with Section 34 of the Indian Penal Code.

3. The informant stated that in the month of April, 2011, the applicants assured him to sell a plot. Accordingly, the Agreement to Sale was executed on 26.07.2011. The informant alleges that within two years from the Agreement, he has paid Rs.4,86,400/- towards partial consideration, however till date neither Sale Deed was executed nor money was returned, therefore, the offence.

4. Learned Counsel for the applicants initially submitted that there was no such a transaction at all. The applicants did not receive any amount as alleged. Besides that, it is contended that, even if the contents of FIR discloses the civil dispute. Particularly, it is submitted

that out of business transaction, the informant was in due of Rs.1,50,000/-, which the applicants demanded, hence to pressurize false report has been lodged.

5. Issue notice to the non-applicants, returnable after six weeks. 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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