



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

CRIMINAL APPLICATION (APL) NO. 1611 OF 2024

Pawan s/o Dayaram Chaudhary,
aged about 29 yrs, occ. Business,
r/o. Near Pandav Engineering College,
House No. 32, Vihirgaon,
Ayodhya Nagar, S.O. Nagpur
Tah. District Nagpur

..... **APPLICANT**

...V E R S U S...

1. The State of Maharashtra,
Through Police Station Bajaj Nagar,
Nagpur, Tah. District Nagpur

2. Sona d/o Harendranath Dutta,
aged about 28 yrs, Occ. Service,
R/o. 40, Manish Nagar, Dattatraya Gruh
Nirmal Society, Tah. Dist Nagpur

.....**NON-APPLICANTS**

Mr. S. Bhalegaro, Advocate for applicant.
Mr. Nikhil Joshi, APP for respondent No.1 /State.
Mr. Anirudh Ananthkrishnan, Advocate for respondent No.2.

CORAM:- VINAY JOSHI & ABHAY J. MANTRI, JJ.

DATE : 24.10.2024

JUDGMENT (Per : Vinay Joshi, J.)

Heard. Rule. Rule made returnable forthwith. Heard finally
with consent of learned Counsel for the parties.

2. This is an application seeking to quash criminal prosecution

bearing Regular Criminal Case No. 630/2022 arising out of Crime No. 211/2021, registered with Bajaj Nagar Police Station, Nagpur City, for offence punishable under Sections 354 and 354-D of the Indian Penal Code on account of settlement.

2. The informant, educated lady, aged 26 years has lodged report on the basis of which crime has been registered. It is informant's case that she had old acquaintance with the applicant through common friend. They used to meet intermittently, however, the applicant was making certain advances to which she refused. It is alleged that the applicant was persistently following her and on one day he caught hold her hand, snatched her mobile and outraged her modesty.

3. The matter has been amicably settled between the parties. The informant has filed reply stating that out of misunderstanding, the First Information Report was filed and now she do not want to go on with the prosecution. The informant is present before us, who is identified by her counsel Mr. Ananthkrishnan. On Court query, the informant stated that the differences have been settled and she do not wish to go on with the prosecution further. It is learnt that the trial Court has already framed charge and matter is fixed for recording of evidence on 16.11.2024. Obviously, the public time has been consumed in the proceedings. At this juncture, the applicant's learned Counsel would

submit that the applicant would pay sum of Rs. 25,000/- towards rotating police machinery. The nature of offence cannot be termed as anti social or heinous. The informant is not willing to go on with the prosecution meaning thereby there is no purpose in continuation of the prosecution as it would be an exercise in futility. In the circumstances, we are inclined to exercise our inherent powers.

In view of the above, the application is allowed. The criminal prosecution bearing Regular Criminal Case No. 630/2022 arising out of Crime No. 211/2021, registered with Bajaj Nagar Police Station, Nagpur City, for offence punishable under Sections 354 and 354-D of the Indian Penal Code, is hereby quashed and set aside.

The applicant shall deposit sum of Rs. 25,000/- (Rupees Twenty Five Thousand) to the Government Pleader Library on or before 11.11.2024.

List on 12.11.2024 to note the compliance.

(ABHAY J. MANTRI, J.)

(VINAY JOSHI, J.)