



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 CRIMINAL APPLICATION NO. 4051 OF 2024

Sunil Balkrishna Shinde

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. S.S. Gangakhedkar

APP for Respondent No.1: Mr. V.K. Kotecha

Advocate for Respondent No.2 : Mr. D.S. Patil

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**CORAM : SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATED : 28th FEBRUARY, 2025

PER COURT :-

1. The present application has been filed for quashing of F.I.R. vide C.R. No.1133 of 2023, registered on 06.12.2023, with Newasa police station, district Ahmednagar, for the offences punishable under Sections 406 and 420 of I.P.C.

2. When the matter was heard on 08.10.2024, respondent No.2 appeared suo motu and it was stated that the parties have settled the matter amicably. The terms of the settlement were directed to be placed on record. In the meanwhile, charge sheet came to be filed and the application has been amended. Now the applicant seeks quashment of the charge sheet as well.

3. After the settlement terms were reduced into writing, the parties were directed to appear before the learned Registrar (Judicial) of this Court for verification. After verification, a report has been submitted on 14.10.2024 that the parties have reiterated the terms of settlement before the learned Registrar (Judicial) as well.

4. In the terms of settlement, it is stated that as to how the payment to the extent of Rs.76,00,000/- has been paid by the applicant to respondent No.2 and also Rs.8,00,000/- has already been given. Under such circumstances, when entire amount has been paid by the applicant, respondent No.2 says that he has no objection for quashment of the F.I.R. as well as the proceedings.

5. Taking into consideration the offence punishable and the dispute has been settled, there is no hesitation in exercising of our powers under Section 482 of Cr.P.C. However, since entire machinery has been used by both the sides, we impose costs and pass the following order:-

O R D E R

I. The application is hereby allowed.

II. The proceedings in R.C.C. No. 469 of 2024 pending before

the learned J.M.F.C. Newasa arising out of the C.R. No. 1133 of 2023 dated 06.12.2023 registered with Newasa police station, district Ahmednagar for the offences punishable under Sections 406 and 420 of I.P.C. stands quashed and set aside as against the applicants

- III. The applicant as well as respondent No.2 to deposit an amount of Rs.20,000/- (Rupees Twenty thousand) each, with the Registry i.e. the Committee consisting of learned Registrar (Administration) of the High Court, Bench at Aurangabad and the Medical Officer of the High Court Medical Dispensary, Aurangabad, on or before 13.03.2025. We make it clear that in case of failure on their part to deposit the said amount, the order of quashment would get revived and the amount of costs would then be recovered from them as an arrears of land revenue.

(SANJAY A. DESHMUKH, J.) (SMT. VIBHA KANKANWADI, J.)

rlj/