



Judgment

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

CRIMINAL APPLICATION [APL] No. 158 OF 2025.

1. Abdul Majid s/o Abdul Kadar,
Aged about Major, Occupation – Private,
resident of Naar Salt Factory, Old Bhandara
Road, Ganjakheth, Mahatama Fule
Bazar, Nagpur 440018.

2. Abdul Wazid s/o Abdul Majid,
Aged about Major, Occupation – Private,
resident of Naar Salt Factory, Old Bhandara
Road, Ganjakheth, Mahatama Fule
Bazar, Nagpur 440018.

3. Abdul Tanvir s/o Abdul Majid,
Aged about Major, Occupation – Private,
resident of Naar Salt Factory, Old Bhandara
Road, Ganjakheth, Mahatama Fule
Bazar, Nagpur 440018.

4. Mohammad Iqbal s/o Abdul Kadir,
Aged about Major, Occupation – Private,
resident of Naar Salt Factory, Old Bhandara
Road, Ganjakheth, Mahatama Fule
Bazar, Nagpur 440018.

... **APPLICANTS.**

VERSUS

Rgd.

1.State of Maharashtra,
through Police Station Officer,
Tahsil, Nagpur.

2.Irfan Khan s/o Hamid Khan,
Aged about Major, Occupation – Private,
resident of Naar Salt Factory, Old Bhandara
Road, Ganjakheth, Mahatama Fule
Bazar, Nagpur 440018.

... **NON-APPLICANTS.**

Shri F.S. Chowdhary, Advocate for Applicants.
Shri G.Umale, A.P.P. for Non-applicant No.1.
Shri S. Ansari, Advocate for Non-applicant No.2.

**CORAM : NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.**

DATE : FEBRUARY 24, 2025.

ORAL JUDGMENT (Per N.B. Suryawanshi, J.) :

Rule. Rule is made returnable forthwith. By consent of
learned Counsel present for the parties, matter is taken up for final
disposal.

Rgd.

2. This application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeks quashing of the first information report No.693/2024 dated 14.12.2024 registered with Tahsil Police Station, Nagpur City for offence under Section 115[2], 118[2] and 3[5] of the Bhartiya Nyaya Sanhita, 2023.

3. Non-applicant no.2 lodged the first information report in question alleging that on 14.12.2024, applicants assaulted him. Applicant no.1 Abdul Majid assaulted him with wooden stick and other applicants assaulted him by fists and kick blows. In the said assault his finger got fractured.

4. During pendency of this application, applicants and non-applicant no.2 have amicably settled their dispute. Non-applicant no.2 has filed an affidavit and has confirmed the fact of amicable settlement of dispute. He has stated that he is withdrawing the allegations made in the first information report and he does not wish to continue with the prosecution.

Rgd.

5. Applicants and non-applicant no.2 are present in the Court. They are identified by their respective Counsel. Non-applicant no.2 states that there were cordial relations between him and applicant's family. Due to misunderstanding, the first information report in question was lodged, however, with the intervention of the elders and family members they have amicably settled the dispute, and therefore, he has no objection quash the first information report against applicants.

6. In view of the amicable settlement of dispute and as non-applicant no.2 has no objection to quash the prosecution, no useful purpose would be served by continuing the prosecution against applicants. Hence, Criminal Application is allowed.

The First Information Report No.693/2024 dated 14.12.2024 registered with Tahsil Police Station, Nagpur City for offence under Section 115[2], 118[2] and 3[5] of the Bhartiya Nyaya Sanhita, 2023 is hereby quashed and set aside.

Rgd.

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7. Rule is made absolute accordingly.

JUDGE

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Rgd.