



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

CRIMINAL APPLICATION [APL] NO.218 OF 2025

Mrs. Harshala w/o Kushal Jhambhulkar
Aged 40 years, Occupation : Housewife.
R/o. Plot No.64, NIT Building, Samta Layout,
North Ambazari Road, Nagpur. .. Applicant

.. Versus ..

1. State of Maharashtra,
Through Police Station Officer,
Police Station Bajaj Nagar,
Nagpur.
2. Navnit s/o Rajiv Goswami,
Aged 30 years, Occupation-Business,
R/o. L I G 104, Kotra, Sultanabad,
Bhopal, Madhya Pradesh. .. Non-Applicants

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Mr. K.N. Shukul, Advocate with Mr. Raghav Tiwari, Advocate
for Applicant.

Mr. Nikhil Joshi, Additional Public Prosecutor for non-applicant
no.1/State.

Mr. R. Bhandatkar, Advocate h/f Mr. K. Mahalle, Advocate for
non-applicant No.2.

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CORAM : NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.
DATED : 19th MARCH, 2025.

JUDGMENT [PER : NITIN B. SURYAWANSHI, J.]

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

2. By this application filed under Section 482 of the Code of Criminal Procedure, 1973 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023, applicant seeks quashing of chargesheet bearing no.102/2024. Dated 10.8.2024 (Summary Criminal Case No.12817/2024) arising out of First Information Report bearing No.142/2024 registered with Bajaj Nagar Police Station, Nagpur for offences under Sections 279 and 427 of the Indian Penal Code, 1860.

3. Non-Applicant No.2 lodged FIR alleging that on 6.6.2024, while he was going in Car No. MP-04-CL-7812 along with brother-in-law and his sister, at that time, driver of Car No.MH-31-FX-8383 drove his vehicle in rash and negligent

manner and gave a dash to his car, due to which, left side door of his car was damaged.

In the accident summary filed along with the chargesheet, it is clearly stated that the accident has occurred due to road condition and there is no traffic violation.

4. During the pendency of this application, applicant and non-applicant no.2 have amicably settled their dispute. The said fact is confirmed by non-applicant no.2 by filing affidavit stating that the dispute is settled and the applicant had agreed to pay a sum of Rs.78,000/- towards full and final settlement of all the claims related to the FIR. On receipt of the said amount, non-applicant no.2 agreed not to pursue any further claims or legal actions against the applicant regarding the accident.

5. Applicant is present in the court and non-applicant no.2 is present through video conferencing. Both the parties are identified by their respective advocates. Non-applicant no.2 confirms that the matter is amicably settled between him and applicant and he has received the sum of Rs.78,000/- therefore he has no objection to quash the proceeding.

6. In that view of the matter also on merit, no case is made out against the applicant to prosecute her under Section 279 and 427 of the Indian Penal Code. Coupled with the fact that the parties have amicably settled their dispute, no useful purpose would be served by continuing the proceeding of FIR and chargesheet against the applicant.

7. In the result, application is allowed. The proceeding of Summary Criminal Case No.12817/2024 arising out of First Information Report bearing No.142/2024 registered with Bajaj Nagar Police Station, Nagpur for offences under Sections 279 and 427 of the Indian Penal Code, is hereby quashed and set aside.

8. Rule is made absolute in the aforesaid terms.

(Pravin S. Patil, J.)

(Nitin B. Suryawanshi, J.)