



Correction
carried out as per
Court order dated
10.06.2025.

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

CRIMINAL APPLICATION (APL) NO.523 OF 2023

Murari S/o Baburao Samrutwar, Aged
about 56 years, Occupation – Private Job,
R/o Kesarinandan Nagar, Ward No.1,
Urjanagar, Durgapur, Chandrapur, Tah.
and District – Chandrapur.

...Applicant

// VERSUS //

1. State of Maharashtra, through Police
Station Officer, Police Station, Durgapur,
Tah. and District – Chandrapur.
2. Sau. Sangita Gunwant Meshram, Aged
about 51 years, Occupation – Labour, R/o
Panchasheel Ward No.6, Urjanagar,
Chandrapur, Tah. and District –
Chandrapur.

... Non-Applicants

Mr I.S. Charlewar, Advocate for Applicant.
Mr A.R. Chutke, A.P.P. for Non-applicant No.1/State.
Mr. A.M. Gedam, Advocate for Non-applicant No.2.

CORAM : ANIL S. KILOR AND PRAVIN S. PATIL, JJ.

DATE : 06/05/2025

ORAL JUDGMENT (Per : Anil S. Kilor, J.)

1. Heard.

2. **RULE.** Rule is made returnable forthwith. Heard finally by
consent of the parties.

3. In the present application filed under Section 482 of the Code of Criminal Procedure, a prayer is made for quashing of First Information Report No.72 of 2023 dated 22.03.2023 with Police Station Durgapur, Dist. Chandrapur, for the offences punishable under Sections 294 and 506 of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. The learned counsel for the applicant and the learned counsel for the non-applicant No.2 have made a joint statement that the parties have settled the matter outside the Court and the non-applicant No.2 does not want to prosecute applicant and has no objection to quash and set aside the FIR in question.

5. The non-applicant No.2 has filed an affidavit to that effect. In para-3, she states that the report was lodged out of rage and misunderstanding. It is further stated that, she has realized her mistake and out of her free will and without any coercion from anybody, she does not want to prosecute the complaint.

6. Considering the nature of offence and further the fact that the matter has been settled between the parties and since the

complainant does not want to prosecute the complaint, even if the trial is conducted, the whole exercise will be proved as futile exercise. In the circumstances, we pass the following order :-

- i) The Criminal Application is **allowed**.
- ii) The First Information Report No.72 of 2023 dated 22.03.2023 with Police Station Durgapur, Dist. Chandrapur, for the offences punishable under Sections 294 and 506 of the Indian Penal Code and Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is hereby quashed and set aside.

Rule is made absolute in above terms. No costs.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)

C.L.Dhakate