



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

Criminal Application (APL) No. 332 of 2025

Naushad Ahmad S/o Maksudul Hasan
Idrisi, Aged about 42 yer, Occu: Private
Service, R/o 607, Bazaar Chowk, Ward
No.6, Walni Colony, Rohana, Nagpur

... Applicant

// VERSUS //

1. State of Maharashtra,
through Police Station Officer,
Police Station Kaparkheda, Nagpur
(Rural), Tahsil and District Nagpur
2. Jubir S/o Maksudul Hasan Idrisi,
Aged about 28 years, Occ. Private
Service R/o House No. 147, Ward
No.2, Datta Nagar, Chandakapur,
Khaparkheda, Nagpur

... Non-applicants

Shri Gurpreet Singh Chandok Advocate, Shri R.G.Sahu, Advocate and
Ms. Asmina Saijuddin, Advocate for the applicant.
Shri N.H. Joshi, APP for the non-applicant/State.
Ms. Poonam Moon, Advocate and Shri Gaurav G. Sahu, Advocate for the
non-applicant no.2.

**CORAM : ANIL S. KILOR &
PRAVIN S. PATIL, JJ.**

DATED : 28th MARCH, 2025.

ORAL JUDGMENT : (PER : PRAVIN S. PATIL, J.)

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

2. By the present application, applicant is seeking to quash and set aside the First Information Report dated 13th March 2025 registered with Police Station Khaparkheda, District Nagpur (Rural) vide Crime No. 200 of 2025 for the offence punishable under sections 352, 351(3), 351(2), 118(1) of Bharatiya Nyaya Sanhita (BNS).

3. According to the prosecution, the informant on 12th March 2025 was called by the applicant. When he reached to the destination the applicant was not found available and was asked to reach to other place. At that time there was a scuffle between informant and step brother of applicant. As such out of that scuffle, the informant was injured and therefore he lodged police report to the Police Station Khaparkheda, District Nagpur (Rural).

4. During the pendency of the present application before this Court, the matter has been amicably settled between applicant and non-applicant no. 2. Accordingly, non-applicant no.2 filed an affidavit dated 21st March 2025 stating that members of both the family had come together and settled the dispute. Accordingly, their relations are now

become cordial and he does not want to prosecute the case against the applicant.

5. It is stated that as per the judgment of Honorable Supreme Court of India in the case of Narinder Singh and others Vs. State of Punjab and another reported in 2014(6) SCC 466, it is held that High Court under section 482 is empowered to quash the criminal proceeding involving non-compoundable offence in view of the terms settlement/arrived at between the parties.

6. In the circumstances, no useful purpose would be served by continuation of the prosecution against the applicant as informant is not likely to support the prosecution, even if the trial is allowed to proceed, it will amount to wastage of judicial time and energy. Furthermore, continuation of prosecution against the applicant is the abuse of the process of law. Hence, we proceed to pass the following order.

ORDER

- i. Criminal application is allowed;

ii. The First Information Report dated 13th March 2025 registered with Police Station Khaparkheda, District Nagpur (Rural) vide Crime No. 200 of 2025 for the offence punishable under sections 352, 351(3), 351(2), 118(1) of Bharatiya Nyaya Sanhita (BNS) is hereby quashed and set aside.

Rule is made absolute in aforesaid terms. No order as to costs.

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]