



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

Criminal Application (APL) No. 402 of 2025

1. Rahul S/o Hariprasad Tiwari,
Aged about 38 years, Occ. Private
R/o Kangar Toli, New Lakshmi Nagar,
Gondia 441614.
2. Ravindra Raibhan Panche,
Aged about 41 years, Occ. Private
R/o Manohar Ward, Hanuman Mandir, Near
Laxmi Nagar, Gondia
3. Bharatari Kailash Baheliya,
Aged about 44 years, Occ. Private
R/o Kudwa Road, Gondia
4. Ashish Jagdish Mishra,
Aged about 38 years, Occupation : Private
R/o Katangi Road, Shimla Mata Mandir,
Chichatoli, Gondia
5. Santosh Bhayyalal Bhalavi,
Aged about 55 years, Occupation : Private
R/o New Laxmi Nagar, Ward No. 4, Gondia
6. Harsh Sachin Falke,
Aged about 23 years, Occupation : Private
R/o Sai Colony, Kudwa, Gondia
7. Hansaraj Ramprasad Chikhlonde,
Aged about 36 years, Occ. Private
R/o Relve Chouki, Chandnitola, Nagara,
Gondia
8. Salim Jabbar Gani Khan,
Aged about 32 years, Occu. Private
R/o Bank Colony, New Laxmi Nagar, Gondia
9. Gajanan Sagun Vishwakarma,
Aged about 42 years, Occ. Private

R/o Bada Bus Stop, Marar Toli, Azad Ward,
Gondia

10. Pankaj Kumar Gautam, Aged about 38 years,
Occu: Private R/o Satanand Nakaila, Satna
Madhya Pradesh

... Applicants

// VERSUS //

1. The State of Maharashtra,
Through Police Station Officer, Police Station
Ravanwadi, District Gondia
2. Ashish Kaniramji Khare,
Aged about 21 years,
R/o Kinhi, Gondia, Ravanwadi, Gondia,
Maharashtra

... Non-applicants

Shri Y.B.Mandpe, Advocate for the applicants.

Mrs. Mayuri Deshmukh, APP for the non-applicant no. 1/State.

Ms. R.P. Mulaokar, Advocate for the non-applicant no.2.

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

DATED : 15th APRIL, 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. Mrs. Mayuri Deshmukh, learned Additional Public Prosecutor waives service of notice on behalf of the non-applicant/State and Ms. R.P.Mulaokar, learned counsel waives service of notice on behalf of the non-applicant no.2.

3. At the outset, learned counsel for the applicants stated that after registration of offence vide Crime No. 95 of 2025 dated 2nd March, 2025 for the offence punishable under Sections 118(1), 189(1), 189(2), 189(4), 190, 191(2), 193(3), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 registered with Police Station Ravanwadi, Gondia, the matter has been amicably settled between the applicants and non-applicant no.2.

4. Non-applicant no.2 across the bench handed over the affidavit dated 15th April, 2025 stating that as the matter has been amicably settled outside the Court, he do not want to prosecute the present applicants and has no objection if the criminal prosecution registered against the applicants is quashed and set aside.

5. In the present case, it is clear that the offences are registered against the applicant under Sections 118(1), 189(1), 189(2), 189(4), 190, 191(2), 193(3), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 and the same are tribal by Judicial Magistrate First Class and punishment as prescribed is three years with fine.

6. The applicants had pointed out that as per the law laid down by Hon'ble Supreme Court of India in the case of Narinder Singh and

others Vs. State of Punjab and another reported in 2014(6) SCC 466, where the settlement is arrived immediately after registration the alleged commission of offence and the matter is still under investigation, the High Court may be liberal in accepting the settlement to quash and criminal proceeding/investigation.

7. In view of the law laid down by Hon'ble Supreme Court of India and the fact that in the present case that the offence is registered is on 2nd March, 2025 and settlement arrived between the applicants and non-applicant no.2 in the month of April, 2025 i.e. immediately after the alleged commission of offence, we are of the considered opinion to accept the amicable settlement arrived between the parties.

8. In view of the aforesaid reasons, we proceed to pass the following order.

- i. Criminal application no. 402 of 2025
- ii. The First Information Report vide Crime No. 95 of 2025 dated 2nd March, 2025 for the offence punishable under Sections 118(1), 189(1), 189(2), 189(4), 190, 191(2), 193(3), 352, 351(2) of the Bhartiya

Nyaya Sanhita, 2023 registered with Police Station Ravanwadi, Gondia is hereby quashed and set aside against the applicant no.1 **Rahul S/o Hariprasad Tiwari**, applicant no.2 **Ravindra Raibhan Panche**, applicant no.3 **Bharatari Kailash Baheliya**, applicant no.4 **Ashish Jagdish Mishra**, applicant no.5 **Santosh Bhayyalal Bhalavi**, applicant no.6 **Harsh Sachin Falke**, applicant no.7 **Hansaraj Ramprasad Chikhlonde**, applicant no.8 **Salim Jabbar Gani Khan**, applicant no. 9 **Gajanan Sagun Vishwakarma**, and applicant no.10 **Pankaj Kumar Gautam**.

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]