



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

Criminal Application (APL) No. 10 of 2022

1. Mrs. Navmani W/o Mukesh Tirpude,
Aged about 62 years, Occupation: Housewife;
2. Mr. Darpan S/o Mukesh Tirpude,
Aged about 33 years, Occupation : Business
Both the applicants are residents of Plot No.
724, Byramji Town, Nagpur

... Applicant

// VERSUS //

1. State of Maharashtra through its Police Station
Officer, Police Station Sadar, having office at
Sadar, Nagpur
2. Randhirsingh S/o Harjindersingh Khanduja,
Aged about 31 years, Occupation Business
having its business establishment at Hotel
Heritage, Behind VCA Stadium, Civil Lines,
Nagpur

... Non-applicants

With

Criminal Application (APL) No. 438 of 2025

1. Randhirsingh S/o Harjindersingh Khanduja,
Aged about 31 years, Occupation : Business
2. Gurpreet S/o Harjinder Singh Khanduja,
Aged about 35 years, Occupation : Business
3. Gurpreetsingh S/o Kuljeetsingh Sandhu,
Aged about 30 years, Occupation : Manager
4. Raj Tiwari, Aged about Major,
Occupation Security Guard
5. Pravin S/o Bhimrao Humane,
Aged about 31 years, Occupation : Driver
6. Rafiq Sheikh, Aged about Major,

... Applicants

Occupation : Driver

All the applicants are having address at Hotel Heritage, Behind VCA Stadium, Civil Lines, Nagpur

// VERSUS //

1. State of Maharashtra through its Police Station Officer, Police Station Sadar, having office at Sadar, Nagpur
2. Mrs. Navmani W/o Mukesh Tirpude,
Aged about 62 years, Occupation: Housewife;
R/o Plot No. 724, Byramji Town, Nagpur ... **Non-applicants**

In Criminal Application No. 10 of 2022

Shri Y.B.Sharma, Advocate for the applicant.

Ms. Shamsi Haider, APP for the non-applicant no.1/State.

Shri Parth Malviya, Advocate for the non-applicant no.2

In Criminal Application No. 438 of 2025

Shri Parth Malviya, Advocate for the applicants.

Ms. Shamsi Haider, APP for the non-applicant no.1/State.

Shri Y.B.Sharma, Advocate for the non-applicant no.2.

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

DATED : 21st 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. Both the applications are between the same parties and the subject matter of dispute in both the matters is also identical pertaining to leave and license to a partnership firm of a lawn with banquet hall.

3. In Criminal Application No. 10 of 2022, the complainant namely Randhirsingh Khanduja lodged the police complaint against Sau. Navmani W/o Mukesh Tirpude and Darpan S/o Mukesh Tirpude alleging that while carrying out the plumbing work of lawn, the accused persons threatened her and started quarelling. It is alleged that the said quarrel was turned into scuffle and complainant was abused in filthy language. As such on the basis of said allegation, the First Information Report bearing Crime No. 446 of 2021 was registered on 30th September, 2021 for the offence punishable under Sections 143, 147, 149, 294, 341, 323 and Section 506 of Indian Penal Code against the applicants.

4. In Criminal Application No. 438 of 2025, the complainant Sau. Navmani W/o Mukesh Tirpude lodged the police complaint against namely Randhirsingh Khanduja alleging that on 29th September, 2021 alleging that when she was working in the lawn, the applicants Randhirsingh Kahduja and others had abused her in filthy language and therefore on her complaint, the offence came to be registered vide Crime No. 0446 of 2021 dated 30th September, 2021 to the Police Station Sadar,

Nagpur for the offence punishable under Sections 143, 147, 149, 294, 323 and 506 of Indian Penal Code against the applicants.

5. During the pendency of the present applications, both the parties had arrived at amicable settlement and accordingly Criminal Application (APPA) No. 538 of 2025 came to be filed jointly by both the parties stating that due to misunderstanding between them incident dated 29th September, 2021 took place. However, after filing of the present application, they have arrived at amicable settlement on certain terms and conditions. The said terms and conditions are stated in the Criminal Application No. 538 of 2025.

6. In view of amicable settlement between the parties, it is prayed that by accepting the terms of settlement the First Information Report vide Crime No. 446 of 2021 and 447 and 2021 registered with Police Station Sadar, District Nagpur be quashed and set aside.

7. In the present case, from the averment and allegations made by respective applicants, it is clear that nature of dispute between them is predominately of civil character. Furthermore, the civil cases are pending between them in various Courts. As such, the offence registered against

them is against individuals and arising out of civil dispute, therefore 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, held that where the issue of predominantly of civil character and arising out of commercial transaction wherein both the parties have resolved their entire dispute among themselves, then such amicable settlement should be accepted to secure the ends of justice.

8. In view of above, we are of the confirmed opinion that there is no impediment to accept the amicable settlement arrived between the parties in both the applications. Accordingly, we proceed to pass the following order.

ORDER

i. Criminal application No. 10 of 2022 and Criminal Application No. 438 of 2025 are allowed;

ii. In Criminal Application No. 10 of 2022, the First Information Report vide Crime No. 447 of 2021 was registered on 30th September, 2021 for the offence punishable under Sections 143, 147, 149, 323, 504 and Section 506 of Indian Penal Code is hereby quashed and set aside against the applicant No.1 - **Mrs. Navmani W/o Mukesh**

Tirpude and applicant No.2 - **Mr. Darpan S/o Mukesh Tirpude** and in Criminal Application No. 438 of 2025 the proceeding of Summary Criminal Case No. 13947 of 2022 pending before the Court of Judicial Magistrate First Class, Court No.6, Nagpur arising out of First Information Report No. 446 of 2021 dated 30th September, 2021 for the offences punishable under Sections 143, 147, 149, 294, 323 and Section 506 of Indian Penal Code is hereby quashed and set aside against the applicant no.1- **Randhirsingh S/o Harjindersingh Khanduja**, applicant no.2 - **Gurpreetsingh S/o Harjindersingh Khanduja**, applicant no.3 - **Gurpreetsingh S/o Kuljeetsingh Sandhu**, applicant no.4 - **Raj Tiwari**, applicant no. 5 - **Pravin S/o Bhimrao Humane** and applicant no. 6 - **Rafiq Sheikh** in terms of settlement stated in Criminal Application (APPA) No. 538 of 2025.

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

[PRAVIN S. PATIL, J.]

[ANIL S. KILOR, J.]