



Judgment

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

CRIMINAL APPLICATION [APL] No. 1737 OF 2024.

Varun s/o Uday Pande,
Aged about 24 years, Occupation –
Student, resident of Plot No.83,
IT Park, Gayatri Nagar,
Nagpur.

... **APPLICANT.**

VERSUS

1.State of Maharashtra,
through Police Station,
Dhantoli Police Station,
Dhantoli, Nagpur.

2.Mohammed Raza Qureshi s/o
Riyaz Mohammed Qureshi,
Aged about 20 years, Occupation –
Student, resident of Flat No.303-B,
Dhruv Enclave, Kalamna, Nagpur.

... **NON-APPLICANTS.**

Mr. A.B. Shende, Advocate for the Applicant.
Ms S. Haider, A.P.P. for Non-applicant No.1/State.
Ms N. Yadav, Advocate for Non-applicant No.2.

CORAM : NITIN B. SURYAWANSHI AND
PRAVIN S. PATIL, JJ.

DATE : MARCH 18, 2025.

Rgd.

ORAL JUDGMENT (Per N.B. Suryawanshi, J.) :

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

2. This application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeks quashing of the first information report No.003/2024 registered with Dhantoli Police Station, Nagpur for the offence punishable under Sections 279, 427 of the Indian Penal Code and Sections 184 and 185 of the Motor Vehicles Act.

3. Non-applicant No.2 lodged first information report stating that while he was going from Lokmat Chowk to Sadar by his Kia Celtos car bearing registration No.MH-49-BR-7156, at Munje Chowk a car bearing registration No. MH-34-AM-6614 came in a high speed. The same was driven by the applicant and it gave dash to the right rear side of the vehicle of the informant. On the basis of first information

Rgd.

report, an offence was registered and investigation was carried out. Charge sheet came to be filed on 03.07.2024 and the case is numbered as S.C.C.No.9492/2024 and the same is pending in the Court of Judicial Magistrate First Class, Court No.1 Nagpur.

4. During pendency of this application, applicant and non-applicant no.2 have amicably settled their dispute. Non-applicant no.2 has filed an affidavit stating that the matter between him and applicant is amicably settled without there being any coercion or force or any undue influence. It is stated that due to misunderstanding, he lodged the first information report in question. In view of amicable settlement, no grievance is left now.

5. Applicant and non-applicant no.2 are present in the Court, they are identified by their respective Advocates. Non-applicant no.2 confirms amicable settlement of the dispute and has no objection for quashing of the proceeding. He also stated that he is withdrawing all the allegations leveled against the applicant in the first information report.

Rgd.

6. In view of amicable settlement, the application deserves to be allowed, as continuation of prosecution against the applicant would be a futile exercise and it would result in waste of judicial time and energy. In the result, Criminal Application is allowed.

The proceeding bearing S.C.C.No.9492/2024 pending in the Court of Judicial Magistrate First Class, Court No.1, Nagpur arising out of first information report bearing Crime No.003/2024 registered with Dhantoli Police Station, Nagpur for offence under Sections 279, 427 of the Indian Penal Code and Sections 184 and 185 of the Motor Vehicles Act, is hereby quashed and set aside.

7. Rule is made absolute accordingly.

JUDGE

JUDGE