



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

CRIMINAL APPLICATION (APL) NO.124 OF 2024

Akhil S/o Suresh Kasturkar, Aged aout 31 years, Occ: Service, R/o Plot No.19, Jai Durga Society, Gayatri Nagar, Near Hurry Up Convent, Zingabai Takali, Godhani Road, Nagpur.

...Applicant

// VERSUS //

1. State of Maharashtra, through Police Station Officer, Police Station Mankapur, Nagpur, Tq. And Dist. Nagpur.
2. Mrunali D/o Suresh Kariya, Age: 26 years, Occupation: Interior Designer, R/o Plot No.70-A Kotwal Nagar Near Sehat Gym, Nagpur.

... Non-applicants

Ms S.S. Jain, Adv. a/w Mr Kshitij Jain, Adv. for Applicant.
Mr S.S. Doifode, A.P.P. for Non-applicant/State.
Mr. A.P. Modak, 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. By way of present application filed under Section 482 of the Code of Criminal Procedure, a prayer is made for quashing of Chargesheet No.08 of 2024 dated 06.02.2024 filed in First Information Report (hereinafter referred to as "FIR") No.428 of 2023 dated 10.11.2023 registered with Police Station Mankapur, Dist. Nagpur, for the offences punishable under Sections 354-A, 354-D, 294 and 506 of the Indian Penal Code.

4. Today, the learned counsel for applicant and the learned counsel for the non-applicant No.2, made a joint statement that the parties have settled the matter outside the Court. The non-applicant No.2 filed an affidavit acknowledging such settlement and also filed terms of compromise. The affidavit and terms of compromise are taken on record and marked as article 'X' and 'Y', respectively for the purpose of identification.

5. In view of the compromise, the non-applicant No.2 does not want to prosecute the applicant in the present matter. Considering the said fact, even if the trial is permitted to be conducted, no purpose would be served and it would prove a futile exercise.

6. In the circumstances, we are of the opinion that, that the application needs to be allowed subject to costs, for the reasons that, on complaint of non-applicant No.2, the police machinaries set in motion and made investigation in the matter. Accordingly, we pass the following order:-

- i) The Criminal Application is **allowed**.
- ii) The Chargesheet No.08 of 2024 dated 06.02.2024 filed in First Information Report No.428 of 2023 dated 10.11.2023 registered with Police Station Mankapur, Dist. Nagpur, for the offences punishable under Sections 354-A, 354-D, 294 and 506 of the Indian Penal Code as well as Regular Criminal Case No.605 of 2024 pending on the file of 6th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Nagpur, are hereby quashed and set aside subject to payment of costs of Rs.25,000/- to be paid with Uccha Nyayalay Chaturth Shreni Karmachari Sangh, Nagpur, within two weeks from today.

Rule is made absolute in above terms. No costs.

(PRAVIN S. PATIL, J.)

(ANIL S. KILOR, J.)