



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

CRIMINAL APPLICATION (APL) NO. 402 OF 2024

1.	Gajanan Santosh Shingane Aged about 34 years, Occup. Agriculture.	
2.	Devanand Santosh Shingane, Aged 40 years, Occup. Teacher both r/o Ward No.3, Brahmapuri Tah.Mehkar District Buldhana.	Applicants
	-Versus-	
1.	The State of Maharashtra, Through Police Station Mehkar, Dist.Buldhana	
2.	Lata Shankar Kakade, Aged R/o Brahmapuri,Tah. Mehkar Dist.Buldhana	Non- applicants.

Ms. Gulafshan Ansari, Advocate for the applicants.
Mr.Amit Chutke, APP for the non-applicant No.1 -State
Mr.Sayed Salman, Advocate of non-applicant No.2.

CORAM : ANIL S. KILOR & VRUSHALI V. JOSHI, JJ.
DATED : JUNE 30, 2025.

ORAL JUDGMENT : (PER : ANIL S. KILOR, J.)

- 1) Heard.
- 2) The applicants seek permission to amend the prayer clause, in
view of the fact that the charge-sheet is filed. Permission is granted.
Amendment be carried out forthwith.

- 3) **RULE.** Rule made returnable forthwith. The Criminal Application is taken up for final disposal with the consent of learned counsel for the parties.
- 4) By the present application, filed under Section 482 of the Code of Criminal Procedure ("the Cr.P.C.", for short), prayer is made to quash the charge-sheet being Sessions Trial No.20 of 2024 arising out of First Information Report No. 673 of 2023 registered on 22.11.2023 for the offences punishable under Sections 306, 504, 506 r/w 34 of the Indian Penal Code, registered with Mehkar Police Station, District Buldhana.
- 5) As per the informant, she is the widow of the deceased. The deceased availed hand loan of Rs.15,000/- @ 5 % interest per month. Though it was returned back, the accused demanded more money and also threatened the deceased. The informant further narrates an incident dated 21.11.2023 and according to her, when her husband denied the claim for more money by the accused, the accused abused the deceased and threatened to kill him. They also threatened to commit rape of the wife of the deceased. According to the informant, because of such continuous harassment, deceased committed suicide. It

is further alleged that a suicide note was found in the pocket of deceased wherein, it is categorically stated that accused are responsible for his death.

- 6) Learned counsel appearing for the applicants and the learned counsel appearing for non-applicant No.2 jointly made a statement that the matter has been settled and non-applicant No.2 does not want to prosecute the applicants.
- 7) The non-applicant No.2 is personally present in the Court and on interaction with her, she confirms the fact of settlement and further the fact that she does not want to prosecute the applicants.
- 8) In that view of the matter, since the parties have settled the matter and as the non-applicant No.2 does not want to prosecute the applicants, even if the trial is conducted no fruitful purpose will be served and the whole exercise will be proved futile. In the circumstances we are of the opinion that as per the settlement the present application deserves to be allowed.
- 9) Accordingly, the criminal application is **allowed**.

10) Chargesheet being Sessions Trial No.20 of 2024 arising out of First Information Report No. 673 of 2023 registered on 22.11.2023 for the offences punishable under Sections 306, 504, 506 r/w 34 of the Indian Penal Code, registered with Mehkar Police Station, District Buldhana is hereby quashed and set aside.

11) Rule accordingly.

12) Pending applications, if any, also stand **disposed of**.

[VRUSHALI V. JOSHI, J]

[ANIL S. KILOR, J.]