



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

CRIMINAL APPLICATION (APPP) NO. 1366 OF 2025
IN
CRIMINAL APPLICATION (APL) NO. 612 OF 2024

Madhusudan S/o. Ramkrushnapant Kulthe
Vs.

State of Maharashtra, through PSO, PS Brahman Thadi, Amravati Rural & Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. A.S. Lanjewar, Advocate for the Applicant.
Mr. A.B. Badar, APP for Non-applicant No.1/State.
Mr. S.R. Sayare, Advocate for Non-applicant No.2.

CORAM : ANIL L. PANSARE AND M.M. NERLIKAR, JJ.
DATE : 18th AUGUST, 2025.

By main application, the applicant is seeking to quash the First Information Report registered at Police Station Brahmanwada Thadi *vide* Crime No.95/2024 for the offences punishable under Sections 406, 409, 417, 420 and 34 of the Indian Penal Code, 1860. By way of amendment, the applicant is also seeking to quash charge-sheet filed by the Investigating Officer.

2. The parties have settled the matter and accordingly another application is filed with a request to quash the proceedings.

3. The learned A.P.P. has opposed the request. He has invited our attention to the statement of informant. Her statement indicates that applicant is proprietor of Jai Durge Foods & Agro India Pvt. Ltd. The applicant has instigated the informant and other villagers to invest the amount with an

assurance of attractive returns. Accordingly, during the period from May, 2013 till the year 2018, non-applicant No.2 and other villagers had invested total amount of Rs.2,05,200/-. The applicant, however, on maturity of the scheme did not pay the assured returns and therefore the report was lodged.

4. Accordingly, offences under the provisions mentioned above were registered against the applicant. Section 409 of the IPC provides for punishment with imprisonment for life or with imprisonment of either description for a term which may extend to ten years. Thus, the offence is serious. Further, it is not only the informant who has been duped but there are various other persons. Statement of one such investor finds place at page No.106; she has invested Rs.24,000/- but without any return. Page No.108 is yet another such investor. Thus, there are many persons, who have been allegedly duped by the applicant. In such circumstances, merely because someone or the other is satisfied with the repayment of invested money, such fact will not be sufficient to quash the proceedings.

5. In our view, the offence is serious. Many innocent persons have been allegedly duped by the applicant. We are, therefore, not inclined to grant relief merely because one of the investors, who happens to be the informant, has settled the dispute with the applicant. The applications are accordingly rejected.

(M. M. NERLIKAR, J.)

(ANIL L. PANSARE, J.)