



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

CRIMINAL APPLICATION (APL) No.650 OF 2025

Nirdosh Kumar @ Nirdosh Singh
Sirohi s/o. Udaybhan Singh,
Aged about 43 years,
Resident of Booth No.72,
Leela Bhawan, Patiala,
District Patiala, Punjab- 147 001. : APPLICANT

...VERSUS...

1. The State of Maharashtra,
Through the Police Station,
Lakadganj, District Nagpur.
2. Bharati Vijay Joshi,
Aged about 46 years,
Resident of Chhapru Nagar,
Sindhi Colony, Society No.1,
Nagpur. : NON-APPLICANTS

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Mr. Syed Asbahuddin N. Kazi, Advocate for Applicant.
Mr. M.J.Khan,, Additional Public Prosecutor for Non-applicant No.1.
Ms. Sejal V. Bhandwalkar, Advocate for Non-applicant No.2.

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CORAM : URMILA JOSHI-PHALKE AND
NANDESH S. DESHPANDE, JJ.

RESERVED ON : 14th OCTOBER, 2025.

PRONOUNCED ON : 04th NOVEMBER, 2025.

JUDGMENT : (Per : Nandesh S. Deshpande, J.)

1. Heard. Admit. Heard finally by consent of learned
counsel appearing for the parties.

2. This is an application seeking quashing of First Information Report bearing Crime No.0095/2025, dated 5.2.2025, registered with Police Station Lakadganj, Nagpur, District Nagpur, for the offences punishable under Sections 318(2) and 316(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(d) of the Information Technology Act, 2000 and further seeks to quash the Charge-sheet filed by the non-applicant No.1 bearing R.C.C. No.3444/2025, pending before the 16th Civil Judge, Junior Division and Judicial Magistrate, First Class, Nagpur.

3. We have heard Mr. Syed Asbahuddin N. Kazi, learned counsel for the applicant, Mr. M.J.Khan, learned Additional Public Prosecutor for non-applicant No.1 and Ms. Sejal V. Bhandwalkar, learned counsel for non-applicant No.2.

4. As per the contents of the said First Information Report the non-applicant No.2 lodged a complaint with the non-applicant No.1 on 5.2.2025 that she was teaching in school, namely, Akanksha Foundation School, Vaishali Nagar, Nagpur, wherein one Rashmi Rana was also a Teacher. Both of them were thus acquainted with each other. The applicant thereafter due to ill-health left her job, however, she still remained in contact with said Rashmi Rana. It is further alleged that on 18th November, 2024 said Rashmi Rana told that her marriage is fixed with one

Nirdosh Singh Sirohi i.e. present applicant. The non-applicant No.2, therefore, requested said Rashmi Rana to secure a job for her daughter, namely, Yashika. On hearing this, said Rashmi Rana asked for resume of daughter Yashika which was accordingly sent to her and was forwarded by her to the applicant. The daughter of non-applicant No.2 thereafter received an e-mail for interview and her interview was conducted. Accordingly, the non-applicant No.2 came in contact with the applicant, who under the pretext of procuring job for the daughter as also for the husband of the non-applicant No.2 demanded money from her. The non-applicant No.2 from time to time paid an amount of Rs.3,43,348/- to the applicant. However, since the applicant neither procured job for the daughter and husband of the non-applicant No.2, nor did he returned the amount, the subject F.I.R. was lodged for the offence punishable under Sections 316(1) and 318(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(d) of the Information Technology Act, 2000.

5. We have heard respective counsels for the parties. The counsel for the applicant as also non-applicant No.2 states that during the pendency of the present application, the parties have arrived to an amicable settlement and have filed a compromise deed on record. According to the said compromise deed, the

applicant herein has repaid an amount of Rs.3,00,000/- to the non-applicant No.2. The copy of the said demand draft is also filed along with said settlement deed. The relevant averments in the statement is as under :

“That the party No.1 has repaid an amount of Rs.3,00,000/- (In Words Rupees Three Lakh Only) to the party No.2 through Demand Draft dated 25th April, 2025 issued by HDFC Bank, Khatauli Branch, Uttar Pradesh vide DD No.003373 payable to Bharti Vijay Joshi. The aforesaid DD has been handed over to the party No.2.”

6. In that view of the matter, learned counsel for the parties prayed for quashing of First Information Report and the consequent Charge-sheet filed on record.

7. We have given our thoughtful consideration to the matter in hand. The offences punishable under Sections 318(2) is compoundable, while offence under Section 316(1) is also compoundable with the permission of the Court. In view of the fact that the parties to the dispute have amicably settled the matter with an intention to compromise the same finally, we think it to be a fit case to quash the First Information Report and the consequent Charge-sheet as continuation of the same would amount to an abuse of process of Court. We, therefore, pass the following order :

ORDER

(i) The application is allowed.

(ii) First Information Report bearing Crime No.0095/2025, dated 5.2.2025, registered with Police Station Lakadganj, Nagpur, District Nagpur, for the offence punishable under Sections 318(2) and 316(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(d) of the Information Technology Act, 2000 and also the Charge-sheet bearing R.C.C.No.3444/2025 filed by non-applicant No.1 for the offence punishable under Sections 318(2) and 316(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 66(d) of the Information Technology Act, 2000, which is pending before the 16th Civil Judge, Junior Division and Judicial Magistrate, First Class, Nagpur, is quashed and set aside.

(iii) The application is disposed of.

(Nandesh S. Deshpande, J.)

(Urmila Joshi-Phalke, J.)