



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.521 OF 2026

Ankush Ramlal Pawar,  
age 49 years, Occ. Agri,  
R/o Behind Rohan Grossery Shop,  
Paithan Road, Georai Tanda,  
Chhatrapati Sambhajinagar.

Petitioner.  
(orig accused no.2.)

VERSUS

1. The State Of Maharashtra,  
through the Police Inspector,  
Sillod Police Station,  
Chhatrapati Sambhajinagar (Rural). Informant.
2. Sahebrao s/o Vitthal Waghmare,  
age 43 years, Occ. Agri,  
R/o Shindephal, Tq. Sillod,  
District Chhatrapati Sambhajinagar. Respondents.

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Advocate for Applicant : Mr. S.S. Ghumare  
APP for Respondents : Mr. C.V. Bhadane  
Advocate for Respondent 2 : Mr.V .H. Pathade

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 10, 2026

**FINAL ORDER :-**

1. Present Criminal Application seeks quashment of the First Information Report dated 8.9.2025 in Crime No.341 of 2025 registered with Police Station, Sillod Gramin for the offences punishable under sections 318(4), 336(3), 340(2), 341(3) and 3(5) of the BNS.

2. Investigation was set in motion on the basis of the information given by respondent no.2, stating that the applicant/accused Ankush Pawar is his friend since 2022. He introduced informant with Bharat Dinanath Wahul. Mr. Bharat Wahul told that he can arrange for Government Employment of son and daughter of the informant using his acquaintance. The applicant Ankush told that his son is employed at District Collector Office, Nashik through Bharat Wahul. On 9.12.2023 informant transferred Rs.50,000/- to Ankush Pawar for employment of his nephew. Thereafter, he paid another installment of Rs.2,50,000/- to applicant in the premises of the Sessions Court. It was agreed that after confirming employment of nephew, further amount of Rs.13.00 Lakhs would be paid and arrears of amount was agreed to be paid after getting appointment order. Thereafter, his nephew received mails regarding successful submission of application, document verification and the date when joining letter would be issued. Those mails were received through District Collector Office, Ahmednagar, Revenue Department. Thereafter, many relatives and friends of informant contacted him with request to arrange for employment of their son or daughter and they shown willingness to pay the amount, as agreed. The

informant asked Mr. Bharat Wahul about demand from friends and relatives. Mr. Bharat Wahul asked informant to bring amount from them. On payment of amount, Mr. Bharat Wahul forwarded manipulated appointment order to them through whatsapp messenger. About 15 persons paid amount to accused. Thereafter, appointment order was received to nephew of the informant. Similar order was received on E-mail. Thereafter, an amount of Rs.7.00 Lakh in cash was paid to Bharat Wahul. Thereafter, he sent various appointment orders on his whats-app and mail. However, when nephew had been to District Collector Office, at Ahmednagar for joining, he came to know that a fake order has been given to him. Thereafter, when accused Bharat Wahul was asked about fake order, he told that original order would be received by post. However, neither the orders were received nor the amount is refunded.

3. The aforesaid information culminated into registration of crime against the applicant and accused Bharat Wahul.

4. On 6.3.2026, notice of this application was issued. Respondent no.2 filed his affidavit stating that he has settled dispute with the applicant. There were certain financial

transactions with accused/applicant, however, those are settled through Mediation in proceeding under section 138 of the Negotiable Instruments Act. The name of the present applicant is inadvertently included as an accused. The applicant is also one of the victim alongwith 15 others, who were cheated by accused Bharat Wahul and, therefore he, consented for allowing the application.

5. Learned counsel appearing for applicant and respondent no.2 jointly submit that in light of settlement between the parties, criminal application may be allowed.

6. At this stage, reference can be given to the observations of the Supreme Court of India in case of **The State of Madhya Pradesh Vs. Laxmi Narayan reported in (2019) 5 SCC 688**, wherein Hon'ble Supreme Court observed that whether a FIR is quashed or not would depend upon facts and circumstances of each case and while considering that question, the Court has to apply its mind.

- i. Whether the crime is one against society or against a individual alone, nature of the dispute.
- ii. Seriousness and how crime was committed.
- iii. Whether offence under special statute,
- iv. stage of proceeding,

- v. conduct and antecedents of accused, whether accused absconding, why absconding, and how he managed to compromise with complainant.

7. Looking to the aforesaid exposition of law, this Court will have to find out if conspectus of present crime is individual in nature or it has social repercussion on public at large. The averments in FIR suggests that many needy persons were induced to pay the amount under the pretext of providing Government Employment by accused persons. Huge amount was extracted from poor individuals, who were hoping for employment in Government Department. Although, role of the applicant is limited to only one transaction, fact remains that applicant had received the amount from informant under pretext of providing employment in connivance with the accused no.1.

8. The Hon'ble Supreme Court of India in case of **Narinder Singh and Others Versus State of Punjab and another (2014) 6 SCC 466**, in paragraph no.31 observed thus :-

- “16. What follows from the discussion behind the purpose of sentencing is that if a particular crime is to be treated as crime against the society and/or heinous crime, then the deterrence theory as a rationale for punishing the offender becomes more relevant, to be applied in such cases. Therefore, in respect of such offences which are treated against the society, it becomes the duty of the State to punish the offender.

Thus, even when there is a settlement between the offender and the victim, their will would not prevail as in such cases the matter is in public domain. Society demands that the individual offender should be punished in order to deter other effectively as it amounts to greatest good of the greatest number of persons in a society. It is in this context that we have to understand the scheme/philosophy behind Section 307 of the Code. ”

9. In the facts of the present case, looking to the nature of offences and role of applicant, this Court finds that offence is committed in public domain. Serious frauds on individuals hoping for employment in Government job is not only crime against the individual, but this affects the fabric of the society and promotes belief that anything can be achieved by mode of corruption. Accused persons for their individual benefit branded entire system of appointment to be corrupt and worthy of manipulation. In this backdrop, this Court finds that although informant settled his dispute with accused, exercise of inherent powers for quashment of criminal proceeding is not warranted. In the result, criminal application stands **rejected**.

( S. G. CHAPALGAONKAR, J. )

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