

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 12 OF 2026

Prakash Damlu Rathod And Anr.Applicants

VERSUS

State Of Maharashtra And Ors.Respondents

Mr. Ritesh Thobde a/w Mr. Changdev Shingade, Mr. Darshan Singh Rajpurohit and Mr. Pushkraj Deshmukh, for Applicants.

Mr. Anand Subhash Shalgaonkar, APP, for the Respondent-State.

Ms. Vaishnavi Shelar, for Respondent Nos.2, 3 and 4.

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 18th FEBRUARY, 2026.

P.C.

1. By this application filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita Act, 2023 (for short, "BNSS Act"), the Applicants seek quashing of the proceeding arising out of Crime No. 107 of 2009 registered with the Faujdar Chavdi Police Station, Solapur, District: Solapur, for the offences punishable under Sections 420, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860 (for short, "IPC").

2. Parties have amicably settled the matter outside the Court.

3. Respondent Nos.2, 3 and 4 have filed their affidavits stating about the settlement and the amounts received by them.

4. Parties are present in the Court. They are identified by their respective advocates and have confirmed the amicable settlement of the matter.

5. Learned APP, therefore, has stated that appropriate order may be passed.

6. On perusal of the F.I.R. and the investigations papers, it appears that the dispute between the Applicants and the Informant appears to be of private civil dispute. The Informant has converted the civil dispute into criminal and the prosecution ostensibly to pressurize the Applicants to repay his dues.

7. Taking into consideration, the allegations made in the F.I.R. and the material collected during the course of investigation depict the private civil dispute and as the same does not make out any criminal offence, since the matter is amicably settled between the parties, no useful purpose would be served by continuing against the Applicants, if the prosecution is allowed to continue, it would amount to abuse of process of law.

8. In the result, the application is allowed.

9. The proceeding of RCC No.1361 of 2009 arising out of C.R. No. 107 of 2009 are hereby quashed and set aside.

10. The Applicants shall deposit the cost of Rs.10,000/- each with the Government Pleader Office, High Court of Bombay, Circuit Bench at Kolhapur within two weeks from today.
11. List the matter for compliance after two weeks.

(NITIN B. SURYAWANSHI, J.)