



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

CRIMINAL APPLICATION (APL) NO. 89 OF 2025

[Rupesh s/o. Rameshchandraji Agrawal **vs.** State of Maharashtra through P.S.O., P.S. Gadchiroli, Tah. & Dist. Gadchiroli and anr.]

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

Court's or Judge's orders

Mr. M. R. Joharapurkar with Mr. P. M. Jain, Advocates for the applicant
Mr. N. B. Jawade, APP for the State/non-applicant no. 1
Mr. D. P. Bhongade, Advocate for non-applicant no. 2

CORAM: MRS. VRUSHALI V. JOSHI, J.

DATED : 23-04-2026.

The applicant has approached this Court by filing an application for quashing of F.I.R. bearing Crime No. 195/2018, registered by Police Station, Gadchiroli, Tah. and District Gadchiroli for the offences punishable under Sections 406, 465, 467, 468, 470 and 420 read with Section 34 of the Indian Penal Code, 1860 (for short "I.P.C.")

2. The applicant is the partner of M/s. Ginni Agro Industries, Sawari, Gondia and the non-applicant No.2 is the Informant.

3. The Union of India in order to give fair price to the farmers of paddy, formulated a scheme for purchase of paddy and conversion of paddy into rice by framing a composite scheme, which includes collection of paddy from the farmers, transportation of the same to rice mill owners, conversion of said paddy into rice by rice mill owners and transportation of rice from godown of rice mills to the godown of Food Corporation of India.

4. Looking at the fact that the Government of India has not given any further extension, the State Government, vide its letter dated 28-1-2014, acknowledged its duty to complete milling of rice and receive rice and directed that said rice should now be received by the District Supply Officer of the respective Districts. The rice mill owners through their association made various representations in that regard.

5. The Government issued Circular dated 23-1-2015 thereby stipulating the procedure for collection of rice through the respective District Supply Officers i.e. Collectors, who were authorized to collect rice from millers not only from Gondia but also from Bhandara and Gadchiroli. The Collector accordingly took steps for implementation of Circular dated 23-1-2015 by calling a meeting on 27-1-2015.

6. The Committee was directed to give its report in terms of the note-sheet dated 23-2-2015 on or before 27-2-2015. Accordingly, rice millers received time schedule to deposit the rice, however, officers deputed by Food Corporation of India refused to give quality control report in writing and thus, representative of Collector, Gondia refused to take delivery of rice in their godowns and to take possession of rice.

7. The applicant along with other rice millers made various representations requesting to accept the outstanding amount and not to initiate the criminal proceedings. The Assistant Director on 4-6 June, 2018

issued a letter to non-applicant No.2 pointing out a sum of Rs.25,52,332/- to be deposited against the value of cost of rice. The applicant deposited the said sum. Irrespective of that, the above F.I.R. was lodged on 5-5-2018 against the applicant.

8. The learned Advocate for the applicant has brought to the notice of this Court that as per letter dated 6-8-2024, the Managing Director of non-applicant No.2 has issued letter to the concerned police station to withdraw the FIR registered against the applicant as they have already received the amount from the applicant. Though the letter was issued, the FIR was not withdrawn. However, the matter was investigated and charge-sheet came to be filed.

9. There is a checkered history of litigation in the matter. Now, the complainant has filed an affidavit on record stating that as per letter dated 6-8-2024, they have already informed the concerned police station not to register the crime and they have no grievance against this applicant. In view of the affidavit filed by the complainant i.e. non-applicant No.2, the Regular Criminal Case No. 127/2024 pending on the file of Judicial Magistrate, First Class, Gadchiroli, charge-sheet and F.I.R. bearing Crime No. 195/2018, registered by Police Station, Gadchiroli, Tah. and District Gadchiroli, for the offence punishable under Sections 406, 465, 467, 468, 470 and 420 read with Section 34 of the I.P.C. is quashed and set aside against the applicant only subject to his depositing costs of Rs. 5,000/- with the Public Welfare Account maintained

with Union Bank of India, High Court Branch, Civil Lines, Nagpur bearing Account No.129712010001014 and IFSC Code UBIN0812978 and producing the receipt thereof on record within two weeks.

10. The application is allowed in the above terms and disposed of.

JUDGE

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