



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

CRIMINAL APPLICATION (APL) NO.1514 OF 2025

APPLICANTS

- :- 1) Manoj Sethi, Aged about 57 years, Occu: Business, R/o Rajendra Kr. Chettri Building, Below Hotel Summit Crescent, Sichey Cooperative, Gangtok, East Sikkim, Sikkim-737101.
- 2) Amit Kohli, Aged about 43 years, Occu: Business, R/o D 144 third floor east of Kailash South Delhi-110065
- 3) Arjun Sethi Aged about 30 years, Occu: Business, r/o D 144 third floor east Kailash phase-I Kalkaji, South Delhi, Delhi-110065.

..VERSUS..

RESPONDENTS

- :- 1) State of Maharashtra, through Police Station Officer, Police Station Lakadganj, Nagpur City, District Nagpur.
- 2) Nitin Murlidhar Agrawal, Age-44 years, R/o Mittal Villa, 222, East Wardhman Nagar, Nagpur.

Mr. K.N. Jain, counsel for applicants.
Ms. H.N. Prabhu, APP for non-applicant/State.

CORAM : URMILA JOSHI PHALKE, J.

DATE : 06/03/2026

ORAL JUDGMENT :

1. Heard.

2. **ADMIT.** Heard finally by consent of learned counsel appearing for the parties.

3. The present application is filed by the applicants for quashing and setting aside First Information Report in connection with Crime No.359 of 2025 registered with Police Station Lakadganj, Nagpur City, District Nagpur, for the offence punishable under Sections 406, 420 read with 34 of the Indian Penal Code, 1860.

4. During the pendency of the application, both the parties arrived at settlement, and the settlement terms are produced on record. The parties are also present before this Court. I have personally verified the settlement from them. They have accepted the contents of the settlement and have agreed for the same.

5. In view of the settlement, the learned counsel for the applicants seeks quashing of the FIR. He submitted that both applicants and non-applicants are businessman and, in order to maintain the cordial relationship, they have decided to settle the dispute. He further submitted that the offence punishable under Section 420 of Indian Penal Code is a bailable offence and is also compoundable one.

6. In view of the observations of the Hon'ble Apex Court in the case of *Gian Singh Vs State of Punjab and others reported in MANU/SC/0781/2012*, wherein the Hon'ble Apex Court has observed that where the High Court quashes criminal proceedings having regard to the fact that dispute between the offender and the victim has been settled, although the offences are not compoundable, it does so as, in its opinion, continuation of criminal proceedings will be an exercise in futility and justice in such cases demands that the dispute between the parties is put to an end and peace is restored; securing the ends of justice being the

ultimate guiding factor.

7. In this regard, a specific reference was made to offences arising out of matrimony, particularly relating to dowry, etc. or the family disputes where the wrong is basically private in nature and the offender and victim have settled all disputes between them amicably.

8. In view of the aforesaid observations of the Hon'ble Apex Court, in the present case also, the parties, who are the businessman, have decided to settle the dispute amicably. Therefore, forcing them to face the trial would be an abuse of process of law.

The investigating agency has already spent time in investigating the matter, and the Trial Court has also spent time in the proceedings. Now, the parties have already settled the dispute, the application deserved to be allowed, subject to the costs.

9. In view of the aforesaid facts and circumstances, I proceed to pass the following order.

ORDER

- a] The criminal application is **allowed**.
- b] The FIR in connection with Crime No. 359/2025 registered for the offence punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, 1860, is hereby quashed and set aside to the extent of the present applicants, subject to payment of costs of Rs. 25,000/-. The said amount shall be deposited in the Public Welfare Account No. **129712010001014**, IFSC Code: **UBIN0812978**.
- c] The present order will come into affect after depositing the costs of Rs.25,000/-. The investigating agency has freezed the

accounts of the present applicants. In view of the quashing of the FIR, the said accounts are hereby ordered to be defreezed.

(URMILA JOSHI PHALKE, J.)

rkn