



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

CRIMINAL APPLICATION (APL) NOS. 1227/2026 & 1228/2026

CRIMINAL APPLICATION (APL) NO. 1227 OF 2026

1. Omprakash S/o. Kanhiyalal Bhirani,
Aged 44 years, Occ. Business,
2. Vikas S/o. Kanhaiyalal Bhirani,
Aged 40 years, Occ. Business,
3. Miss Harshita D/o. Omprakash Bhirani,
Aged 18 years, Occ. Business
4. Smt. Poonam W/o. Vikas Bhirani
Aged 40 years, Occ. Business,
5. Kanhaiyalal S/o. Kodumal Bhirani,
Aged 68 years, Occ. Business
6. Smt. Rekha W/o. Kanhaiyalal Bhirani,
Aged 65 years, Occ. Business,

All Residents of 125, Vishwas Nagar,
Jaripatka, Nagpur -440014 and presently
residing at Block No. 10, Gulmohar
Residency, Civil Lines, Jabalpur,
Madhya Pradesh- 482001.

. . . APPLICANTS

// VERSUS //

1. State of Maharashtra,
through Police Station Officer,
Jaripatka Police Station, Nagpur.
2. Sanjay S/o. Chandralal Sadhwani,
Aged 44 years, Occ. Business,
R/o. Plot No. 470, Sindhu Balodhyan,
Jaripatka, Nagpur -440014

. . . NON-APPLICANTS

WITH

CRIMINAL APPLICATION (APL) NO. 1228 OF 2026

1. Ajaykumar S/o. Chandarlal Sadhwani,
Aged 45 years, Occ. Business,
2. Jayesh S/o. Ajaykumar Sadhwani,
Aged 21 years, Occ. Student,
3. Harshal S/o. Ajaykumar Sadhwani,
Aged 20 years, Occ. Student
4. Smt. Geeta W/o. Ajaykumar Sadhwani,
Aged 43 years, Occ. Housewife,
5. Sanjay S/o. Chandralal Sadhwani,
Aged 44 years, Occ. Business
6. Smt. Nirmala W/o. Chanderlal Sadhwani,
Aged 57 years, Occ. Nil
7. Chandhar S/o. Murlilal Sadhwani,
Aged 68 years, Occ. Nil

Applicant nos. 1 to 7 are all residents
of Plot No. 470, Near Sindhu Balodhyan
Jaripatka, Nagpur- 440014.

8. Rahul S/o. Sanjay Meghani,
Aged 20 years, occ. Student
Resident of House No. 1165/A/026
Nirankari Bhawan, Gurunanakpura
Colony, Jaripatka, Nagpur-440014.

. . . APPLICANTS

// VERSUS //

1. State of Maharashtra,
through Police Station Officer,
Jaripatka Police Station, Nagpur.
2. Omprakash S/o. Kanhaiyalal Bhirani,
Aged 44 years, Occ. Business,
R/o. 125, Vishwas Nagar, Jaripatka,
Nagpur-440014

And presently residing at Block No. 10,
Gulmohar Residency, Civil Lines,
Jabalpur, Madhya Pradesh-482001.

. . . **NON-APPLICANTS**

(Cri. APL No. 1227/2026)

Shri D. S. Jagyasi, Advocate for applicants.
Mrs H. N. Prabhu, APP for non-applicant no. 1/State.
Shri P. D. Vidhani, Advocate for non-applicant no. 2.

(Cri. APL No. 1228/2026)

Shri P. D. Vidhani, Advocate for applicants.
Ms. Prachi Joshi, APP for non-applicant no. 1/State.
Shri D. S. Jagyasi, Advocate for non-applicant no. 2.

CORAM :- M. W. CHANDWANI, J.

DATED :- 08.06.2026

ORAL JUDGMENT :-

Mrs. H. N. Prabhu, learned APP waives notice for non-applicant no. 1/State and Shri P. D. Vidhani, learned counsel waives notice for non-applicant no. 2 in Criminal Application (APL) No. 1227/2026.

2. Ms. Prachi Joshi, learned APP waives notice for non-applicant no. 1/State and Shri D. S. Jagyasi, learned counsel waives notice for non-applicant no. 2 in Criminal Application (APL) No. 1228/2026.

3. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsels for the parties.

4. Both the applications are filed under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for quashing of the First Information Reports (FIRs) arising out of a quarrel between two set of parties who lodged complaints against each other in respect of the same incident.

5. In APL No. 1227/2026, FIR No. 343/2026 was registered for the offences punishable under Sections 117(2), 189(2), 296, 351(3), 191(2) and 190 of the Bhartiya Nyaya Sanhita, 2023 (BNS) with Police Station Jaripatka, Nagpur on the complaint of one Sanjay Chandarlal Sadhwani. Whereas, in APL No. 1228/2026, FIR No. 342/2026 was registered for the offences punishable under Sections 115(2), 118(1), 296, 189(2), 191(2), 190 and 351(3) of the BNS on the complaint of one Omprakash Kanhaiyalal Bhirani.

6. The genesis of the dispute lies in the unregistered sale-deed of a plot dated 18.10.2013 executed by Chandarlal Sadhwani and others in favour of Omprakash Bhirani. Due to non-payment of some of the consideration amount, there were an ongoing dispute regarding possession of the plot, which led to a quarrel between the parties. It appears that on 20.05.2026 at about 2:00 pm, a free fight occurred between both the groups on account of the dispute mentioned above the issue of possession of the said plot. In the said incident, some of the

members of both the groups sustained injuries, which led to lodging of counter FIRs by both the groups. Consequently, aforesaid offence came to be registered on one hand, against the applicants in APL No. 1227/2026 and on the other hand, against the applicants in APL No. 1228/2026.

7. It is contented by the learned counsel for the respective parties that since the matter was arising out of a civil dispute and the applicants in both the applications belong to the same community, they have settled their dispute amongst themselves and do not want to continue with the prosecution. An agreement (consent terms) dated 04.06.2026 has been placed on record to that effect. All the applicants in both the applications are present in person. They admit execution of the agreement amongst themselves and also admit the contents thereof.

8. The quarrel arose out of a civil dispute. Considering the submissions as well as the compromise between the parties, it appears that they do not wish to proceed further with the prosecution. They also undertake to keep peace in the society. No fruitful purpose will be served by continuing the prosecution which has been initiated by Police Station Jaripatka, Nagpur on the respective complaints of the applicants.

9. Considering the above, it will be appropriate to quash both the FIRs registered with Police Station, Jaripatka subject to imposition of costs of Rs.10,000/- on the applicants in APL No. 1227/2026 and Rs.10,000/- on the applicants in APL No. 1228/2026, which is to be deposited with the Taluka Bar Association, Tirora, District Gondia.

10. Hence, I proceed to pass the following order:-

i) Both the applications are allowed.

ii) FIR No. 343/2026 registered for the offences punishable under Sections 117(2), 189(2), 296, 351(3), 191(2) and 190 of the BNS with Police Station Jaripatka, Nagpur and FIR No. 342/2026 registered for the offences punishable under Sections 115(2), 118(1), 296, 189(2), 191(2), 190 and 351(3) of the BNS registered with Police Station Jaripatka, Nagpur are hereby quashed and set aside subject to deposit of costs with the Taluka Bar Association, Tirora, District Gondia.

iii) Rule is made absolute in the above terms.

(M. W. CHANDWANI, J.)