

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

CRIMINAL WRIT PETITION NO. 1489 OF 2014

Jawahar Nadar & Anr.

.. Petitioners

v/s.

The State of Maharashtra & Ors.

..Respondents

Ms. Kranti S.S. Anand for the petitioners

Mr. Priyesh Bheda respondent no.2 in person

Mr. K.V. Saste, APP for the respondent State

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 11th FEBRUARY, 2015.

P.C.

1. Heard learned Counsel for the respective parties. The petition is filed for quashing and setting aside the proceedings of the FIR No.234 of 2007 in Criminal Case No.CC.11/PS/2009, pending on the file of learned Magistrate, 35th Court, CST, Mumbai. We have perused the FIR, copy of which is annexed at Exh.A to the petition. A perusal of the FIR indicates that the incident is occurred on 14.11.2007 at Dadar Railway Station, which has given rise to filing of the cross complaints. The respondent no.2 has lodged complaint

bearing FIR No.234 of 2007 against the petitioners for the offence punishable under Section 323, 504, 506 (2) of the IPC and the petitioner no.2 has filed the complaint bearing FIR No.244 of 2007 against the respondent no.2 for offence punishable under Sections 354, 323, 504 and 506 of the IPC. Perusal of the complaint disclose the offence, for which the crime is registered.

2. The contention of the petitioner that injuries caused to the respondent no.2 are in self-defence, which cannot be considered at this stage. Hence, we are not inclined to entertain this petition. Accordingly, the Writ Petition is dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)