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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.656 OF 2016**

Mr. Bhavesh Girish Patel and Ors.	... Applicants
Vs.	
The State of Maharashtra and Anr.	... Respondents

Mr. Satyam R. Dubey for the Applicants.
Dr. F.R. Shaikh, APP for the Respondent No.1.
Mr. Raju M. Pankar for the Respondent No.2.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 20th OCTOBER, 2016

PC.

1 Rule. The learned APP waives service for the first Respondent. The learned counsel appearing for the second Respondent waives service. Forthwith taken up for final disposal.

2 Prayer in this application under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.PC.") is for quashing the First Information Report filed at the instance of the second Respondent alleging commission of offences under Sections 324, 323 of the Code of Criminal Procedure, 1973 read with Section 34 of the Indian Penal Code. There is a reply filed by the second Respondent in which it is

stated that the Applicants and the second Respondent are in the same business of real estate of sale of flats, shops, etc. They are residing in the same locality at Nalasopara (East). Therefore, they have decided to settle the dispute. Accordingly, he has no objection for quashing the FIR.

3 We have perused the allegations made in the statement of the second Respondent. The dispute appears to be over a business transaction. Moreover, the injuries sustained by the victims appear to be simple injuries as seen from the medical certificate produced on the last date. The offence alleged cannot be said to be one against the society at large. Therefore, in the light of the law laid down by the Apex Court in the case of Gian Singh Vs. State of Punjab¹, this is a fit case to exercise power under Section 482 of the Code of Criminal Procedure, 1973. Parties have paid a sum of Rs.15,000/- to the Maharashtra State Legal Services Authority. Hence, we pass the following order :-

ORDER

(i) Rule is made absolute in terms of prayer clause (a)

which reads thus :-

(a) That this Hon'ble Court may be pleased to issue appropriate order or direction for quashing the first information report No.T 220/2016 lodged with TULINJ Police Station PALGHAR under section

¹ (2012) 10 SCC 303

324, 323, 143, 147, 148, 149, 114 of the Indian Penal Code 1860 AS AMENDED with TULINJ Police Station PALGHAR, against the applicants herein in the interest of justice.”

- (ii) All concerned to act upon an authenticated copy of this order.

(A.A. SAYED, J)

(A.S. OKA, J)