

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.118 OF 2018

Pankaj Chodanker. Petitioner

Versus

Officer-in-charge/Police Inspector
Mapusa Police Station & another. Respondents

Mr. Ashwin D. Bhobe, Advocate for the Petitioner.

Mr. Mahesh Amonkar, Additional Public Prosecutor for Respondent
No.1.

Mr. Shailesh Redkar, Advocate for Respondent No.2.

Petitioner present.

Respondent No.2 present.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 25 October 2018.

P.C.:

Leave to amend to add a prayer regarding quashing of the Charge Sheet, granted. The amendment to be carried out forthwith.

2. The learned Counsel for the Petitioner and Respondent No.2-Complainant state that their respective clients are present before the Court. The Petitioner and the Respondent No.2 have amicably decided to settle their dispute. They tender a joint

statement signed by the Petitioner and the Respondent No.2. On the basis of this joint statement, the Petitioner and Respondent No.2 request that the FIR and the Charge-Sheet be quashed. We are of the opinion that this request made is reasonable for the following reasons.

3. The Petitioner is a junior practising Advocate. It appears that on 22 December 2017 an altercation took place between the Petitioner and Respondent No.2 in the Court of Joint Mamlatdar of Bardez, pursuant to which the Respondent No.2 filed an FIR under Sections 504 and 325 of the Indian Penal Code. This Petition is filed for quashing of the FIR and the Charge-Sheet.

4. When the Petition came up for hearing, it was adjourned from time to time at the request of the parties so that the dispute could be settled. The learned Counsel for the Petitioner states that the Petitioner has tendered apology to Respondent No.2 in the joint pursis as well as in the Court. Respondent No.2, accepting this apology, has decided that the dispute needs to be put in past and not to be aggravated further.

5. Considering the decision of the Supreme Court in the case of *Madan Mohan Abbot vs. State of Punjab*¹, we are of the

¹ (2008) 4 SCC 582

opinion that since the parties have decided to put an end to the unfortunate misunderstanding and get on their lives, this a fit case to exercise our powers under Article 226 of the Constitution of India and Section 482 of Code of Criminal Procedure to quash and set aside the FIR and the Charge-Sheet.

6. The Writ Petition is accordingly allowed in terms of prayer clause (a), as amended.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.