

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

**CRIMINAL WRIT PETITION NO.1212 OF 2015
WITH
CRIMINAL APPLICATION NO.197 OF 2017
IN
CRIMINAL WRIT PETITION NO.1212 OF 2015**

**Rajendra Ramvilas Jakhotiya : Petitioner/Applicant.
Versus
The State of Maharashtra and anr. : Respondents.**

**Mr. Nitin P Deshpande for the Petitioner/Applicant.
Mr. K V Saste, Addl. PP for the Respondent/State.
Mr. Sahil Mahajan for the Respondent No.2.**

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.
DATE : 06th MARCH 2018**

P.C.

1 The above Writ Petition has been filed for quashing of the FIR being CR No.II-24 of 2014 registered on 02/11/2014 with the Khopoli Police Station, Tal. Khalapur, Dist. Raigad for the offences punishable under Section 3(1)(i)(ii)(v)(x)(xiv) and (xv) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act 1989 and under Section 7(1)(ii) of the Protection of Civil Rights Act and Sections 504 and 506 of the Indian Penal Code.

2 The above Writ Petition was extensively heard yesterday for admission. When having regard to the fact that the Petitioner and the first

informant i.e. the Respondent No.2 herein are classmates, this Court had suggested that the parties may sit together and arrive at an amicable settlement. The parties accordingly it seems sat together and as a consequence of which the Petitioner has addressed a letter dated 06/03/2018 to the first informant i.e. the Respondent No.2 herein. The texts of the said letter read thus :-

“I deny that I abused you on the point of your caste during August 2014 twice as alleged by you in your complaint to Khopoli Police Station dated 02/11/2014.

However, I am very sorry if you have misunderstood me. I never abused you on the point of caste.

I am sure this will clear the misunderstanding.”

3 In view of the said letter dated 06/03/2018 the first informant i.e. the Respondent No.2, who is personally present in Court, has instructed the learned counsel appearing for him Shri Sahil Mahajan that he does not desire to proceed with the FIR in question and would accept whatever has been stated in the said letter dated 06/03/2018.

4 The Respondent No.2 – Kishor Shelke is also personally present in Court. He is identified by his learned counsel Shri Sahil Mahajan. He is also identified by his driving license bearing No.MH-06-19800000050 originally issued on 05/01/1980 and lastly renewed on 29/07/2017 and validated up to 28/07/2022. When put in the box and queried he states that he has read the

contents of the said letter dated 06/03/2018 and that whatever has been stated in the said letter by the Petitioner is acceptable to him.

5 The Petitioner Rajendra Jakhotiya is also personally present in Court. He is identified by his learned counsel Shri Nitin Deshpande. When put in the box and queried he states that the letter dated 06/03/2018 is on his letter head and that the contents of the said letter are acceptable to him and that he has understood the same. He assures the Court that the parties would maintain cordial relations henceforth.

6 In view of the said letter dated 06/03/2018 and the acceptance of the contents of the same by the first informant i.e. the Respondent No.2 herein, the same indicates that the parties have amicably resolved their dispute as reflected in the FIR in question which has been got registered by the Respondent No.2.

7 Having regard to the judgments of the Apex Court in the matter of Gian Singh V/s State of Punjab & Anr reported in (2012) 10 SCC 303 and Narinder Singh & ors v/s. State of Punjab & Anr reported in 2014 AIR SCW 2065, no useful purpose would be served in continuing with the investigation.

8 The above Criminal Writ Petition is required to be allowed and is

accordingly allowed and made absolute in terms of prayer clause (A). The above Criminal Writ Petition is accordingly disposed of. The Petitioner to deposit costs of Rs.10,000/- with the Kirtikar Law Library, High Court, Bombay within six weeks from date. Receipt to be obtained and filed in the Registry of this Court.

9 In view of the order passed in the above Writ Petition, the Criminal Application No.197 of 2017 does not survive and the same to accordingly stand disposed of as such.

[SARANG V. KOTWAL, J]

[R.M.SAVANT, J]