

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION No.3728 OF 2018**

Bhaskar Keshav Gavkar & Ors.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondent

Mr.Rahul Tiwari for the Petitioners

Mr.Rakesh Singh i/b K. Juris for the Respondent No.2

Mr.A.D. Khamkhedkar, APP, for State

Mr.S.B. Jadhav, Resp. No.2 – present

**CORAM: Mr.S.S. SHINDE &
Mrs.MRIDULA BHATKAR, JJ..
DATED: SEPTEMBER 5, 2018**

P.C. :

1. Rule. By consent of the parties, Rule made returnable forthwith and heard finally.
2. The complainant and his advocate are present. The petitioners are prosecuted for the offences punishable under sections 341, 324, 506(2) and 34 of the Indian Penal Code. The accused, who are the petitioners, have filed joint affidavit dated 4.9.2018 and the Complainant / Respondent No.2 has filed a separate affidavit dated 5.9.2018. The learned Counsel for the Complainant/Respondent No.2 submits that the complainant has no grievance against the petitioners/accused and they all have

arrived at a mutual settlement and decided to compound the said matter. Therefore, the learned Counsel for the petitioners submits that in view of this settlement, this petition be allowed and the C.R. No.118 of 2018 dated 27.3.2018 lodged with Charkop police station, Mumbai, as also the Criminal Case being C.C. No.1817/PW/2018 pending before the learned Additional Metropolitan Magistrate's 24th Court at Borivali, Mumbai arising out of the said C.R. No.118 of 2018, be quashed and set aside.

3. In view of the above, we allow this petition and quash the FIR i.e., C.R. No.118 of 2018 lodged with Charkop police station, Mumbai dated 27.3.2018 as also the Criminal Case being C.C. No.1817/PW/2018 pending before the learned Additional Metropolitan Magistrate's 24th Court at Borivali, Mumbai arising out of the said C.R. No.118 of 2018, is hereby quashed and set aside.

4. Rule made absolute in terms of prayer clause (a) accordingly.

(MRIDULA BHATKAR, J.)

(S.S. SHINDE, J.)