

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 3536 OF 2019**

Aum Anil Pandya ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Madhukar P. Dalvi for the petitioner.

Mr. F.R. Shaikh, APP for the State.

**CORAM : B.P. DHARMADHIKARI &**  
**SMT. SADHANA S. JADHAV, JJ.**  
**DATE : NOVEMBER 14, 2019**

**P.C.:**

Petitioner son has been arraigned as accused. It appears that he had gone to police station to lodge a report about some quarrel between his parents. There is previous history of such quarrels and also reports to police. The concerned police officer while interrogating generally, made some remarks. It annoyed the petitioner and therefore, reported incident took place. Respondent no. 2 has registered offence under sections 332, 353, 504, 506 IPC and sections 112 and 117 of the Bombay Police Act.

2. The matter was considered by this court on 6/11/2019 and it came to be adjourned to today. Respondent no. 2 is present in

person.

3. Petitioner has joined a public employment and has tendered apology to the court as also the respondent no. 1 State. His parents also have by separate affidavit disclosed that they have buried the differences among themselves and are living together and have promised to live peacefully without giving any cause to either petitioner son or then their daughter to complain to anybody.

4. In this view of the matter, respondent no. 2 Officer has very fairly submitted that if this court passes the orders as per law, he has no objection.

5. Learned APP on behalf of the State however, submits that such complaints were repeated and therefore, respondent no. 2 at that time wanted to take necessary action.

6. We are not doubting bona fides of respondent no. 2 at all. We find that because of the interrogation, petitioner was annoyed and the incident occurred. Considering the young age of the petitioner and the affidavits tendered by his parents as also by the petitioner, we are inclined to grant relief as prayed for.

7. Petitioner, his sister as also parents are present before this court. The parents have assured that they will not give any cause to their children to report to anybody including respondent no.1

and 2.

8. Accepting this submissions and affidavits, we make the rule absolute in terms of prayer clause (A).

**(SMT. SADHANA S. JADHAV, J.)**

**(B.P. DHARMADHIKARI, J.)**