

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 76 OF 2019

Rahul Nabkumar Shome ... Petitioner
Versus

Rohit Radheshyam Sonvaniya and anr. ... Respondents

ALONG WITH
WRIT PETITION NO. 5930 OF 2019

Roohit Radheshyam Sonvaniya ... Petitioner
Versus

Rahul Nambkumar Shome and Ors. ... Respondents

Mr.Niteen Pradhan a/w Adv Shubhada Khot for the petitioner in
WP No. 76 of 2019.

Mr. D.G. Gujaral for petitioner in WP No. 5930 of 2019.

Mr.K.V. Saste, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 22, 2020

P.C.:

Two childhood friends are before this court for quashing the
FIR lodged by them against each other in relation to very same
incident. The FIR No. 116 of 2018 dated 24/3/2018 is lodged by
respondent no.1 in WP No. 76 of 2019 against the petitioner
therein for the offence under section 324,. 323 and 504 IPC.

2. The said petitioner has filed independent petition vide Criminal Writ Petition No. 5930 of 2019 for quashing of FIR No. 114 of 2018 filed on the same day by the petitioner in WP No. 76 of 2019 for the offences registered under sections 326, 326A, 320 and 504 IPC.
3. Petitioner Rahul is in now undergoing course and he want to become Chartered Accountant while respondent no.1 Rohit is qualified as MBA.
4. They have tendered consent terms on affidavit which disclose that they are childhood friends. Father of Rahul is present with Rahul while parent of Rohit are present with Rohit. Rahul and Rohit state that they continue to be good friends even now.
5. It appears that in the car some quarrel took place and in the process Rohit took bite of the ear of Rahul which resulted in cutting of ear butt. Parents are also requesting for quashing of both the FIRs.
6. As it is reported to be only quarrel between childhood friends and petitioners in both the matters appear to be bright students with no criminal antecedents, we are inclined to intervene in extra ordinary jurisdiction.
7. Accordingly, we quash and set aside the proceedings

mentioned in prayer clause (b) of respective Writ Petitions.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)

*** Corrected as per speaking to Minutes of order dt.04/02/2020**