

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 2980 OF 2019

Mohd. Jarif Maksud Alam Ansari and anr. ... Petitioners

Versus

The State of Maharashtra and anr. ... Respondents

ALONG WITH
WRIT PETITION NO. 2966 OF 2019

Javed Sikandar Shaikh and Ors. ... Petitioners

Versus

The State of Maharashtra and anr. ... Respondents

Mr. Sandesh More for the petitioners In WP No. 2980 of 2019 and respondent in WP No. 2966 of 2019.

Mr. Hitendra Gandhi for respondent no. 2 in WP No. 2980 of 2019 and petitioners in WP No. 2966 of 2019.

Dr. F.R. Shaikh, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 30, 2020

P.C.:

Parties are present with their respective advocates and request to quash and set aside the cross FIRs. During the pendency of the matters, after completion of the investigation, chargesheets are also filed.

2. It appears that because of some domestic issue, the quarrel ensued and in it members of both the families got involved. Parties who have filed cross FIRs are related to each other and reside in close proximity. On the report filed by Mr. Javed, FIR No. I/749/2018 under section 324, 323 and 34 came to be registered against two petitioners in WP No.2980 of 2019.

4. On the report filed by respondent no.2 Mrs. Salma, FIR under sections 452, 354, 324, 323, 504 read with 34 IPC has been registered vide FIR No. I/747/2018 against the petitioners in WP No. 2966 of 2019.

5. Mr. Javed has given his affidavit today giving no objection. Smt. Salma has also given affidavit giving no objection. Both the parties have expressed their unwillingness to continue with the prosecution.

6. Learned App submits that there are no criminal antecedents against any of the parties. In this situation, we find that the joint request needs to be allowed as it would be in the interest of the families. Similarly, no fruitful purpose would come out of the prosecution. Accordingly accepting the joint request, we make the rule absolute in terms of prayer clause (B) in both the matters. Needless to mention that the consequential chargesheets presented in furtherance of respective FIRs are

also quashed and set aside.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)