

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**WRIT PETITION NO. 4240 OF 2018**

Imran Abdul Razzak Qureshi and Ors. ... Petitioners

Versus

The State of Maharashtra and anr. ... Respondents

Adv Maroof Khan for the petitioners.

Adv Shubham More for respondent.

Mr.S.S. Hulke, APP for the respondent State.

**CORAM : B.P. DHARMADHIKARI,**  
**ACTING CHIEF JUSTICE &**  
**NITIN R. BORKAR, J.**  
**DATE : FEBRUARY 25, 2020**

**P.C.:**

On 16<sup>th</sup> January, 2020, we have passed the following order :

*"Nobody appears for the private parties.*

*2. The final report shows charges for the offences under section 363, 324, 323, 504, 506 and 34 IPC.*

*3. Along with the petition, affidavit of the complainant has been filed as Exh. "C". There the complainant has stated that the complaint was filed out of some misunderstanding and he does not want to prosecute the matter. We direct the respondent no.1 State to verify the antecedents of the parties and make suitable statement. List on 25/02/2020."*

2. The respondent State has not reported any antecedents.

Respondent no.2 complainant who has given no objection states

that the petitioners did not have any criminal background. Petitioners also disclose the same.

3. The FIR has been registered on 20/05/2013 for the offences under sections 324, 323, 504, 506 read with section 34 IPC. It appears that during the investigation, section 363 also came to be added.

4. Respondent no.2 states that because of friendly relationship, he had entered into some transactions which ultimately led to registration of the offences. He has requested the court to quash and set aside the FIR.

5. The affidavit giving no objection is sworn on 16/08/2018. Even today, he has made the same request.

6. In this situation, we direct the petitioners to file their separate undertakings on affidavit to maintain law and order and not to breach the peace in any way, with respondent no. 1 police station within two weeks from today. They shall undertake to abide by the provisions of law and behave themselves for the period of one year from the date of filing of such undertakings.

7. Subject to such undertakings, we make the rule absolute in terms of prayer clauses (a) and (b).

**(NITIN R. BORKAR, J.)**

**(ACTING CHIEF JUSTICE)**