

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 6278 OF 2019

Hardik Nitin Gothi

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

...

Mr. Dinesh Tiwari a/w. Mr. Ansh Kamawat i/by. Dinesh Tiwari & Associates for petitioner.

Mr. Sanjeev Kadam a/w. Ms. Sabeena Mahadik Mr. Pankaj and Mr. Sagar Hale for Respondent No. 2.

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

...

**CORAM : S. S. SHINDE &
N. J. JAMADAR, JJ.**

DATE : 17th JULY, 2021.

P.C.:

1. This petition is filed incorporating the ground that the petitioner and 2nd respondent have amicably settled the dispute, and therefore, the impugned FIR may be quashed on the basis of alleged settlement. There is no challenge on merits.

2. Mr. Kadam, learned counsel appearing for 2nd respondent, on instructions, submits that the 2nd respondent is not agreeable to the amicable settlement.

3. In that view of the matter, this Court cannot force the

parties to arrive at amicable settlement. It should be the voluntary act of the parties to enter into the amicable settlement. Therefore, the impugned FIR cannot be quashed on the basis of alleged amicable settlement.

4. In that view of the matter, the writ petition stands disposed of.

5. Liberty to the petitioner, if he so advised, to take exception to the impugned FIR on merits.

(N. J. JAMADAR, J.)

(S. S. SHINDE, J.)