

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

CRIMINAL APPLICATION NO.168 OF 2022

Ravindra D. More & Ors. ..Applicants
Versus
State of Maharashtra & Anr. ..Respondents

**WITH
CRIMINAL APPLICATION NO.153 OF 2022**

Hrishikesh Gamare & Ors. ..Applicants
Versus
State of Maharashtra & Anr. ..Respondents

Mr. Jigar Agarwal i/b. Mr. V. V. Rankhambe for Applicants.
Mr. Y. M. Nakhwa, APP for State/Respondent No.1.
Mr. Arun Kode for Respondent No.2.
Respondent No.2 present in the court.

**CORAM : S. S. SHINDE AND
MILIND N. JADHAV, JJ.
DATE : 13th JUNE 2022.**

PC :

1. Heard learned counsel for the rival parties for some time.
2. The parties have made an application for quashing of F.I.Rs. by mutual consent. Hrishikesh Gamare, Rajendra Gamare, Sharad Gamare, Siddhesh Gamare, Shweta Gamare and Rasika Gamare, the original six accused are present before the court. As also, Ravindra Dattaram More, the complainant is present before the court in Criminal Application No. 153 of 2022. Cross

complaints have been filed by the original accused against Ravindra Dattaram More which is the subject matter of Criminal Application No. 168 of 2022. We have interacted with the parties in the court. Prima facie, parties appear to be repentant for what happened on the date of incident. We have perused both the F.I.Rs. It discloses that, both the parties are neighbours and there was some issue with respect to the children of both the families because of which quarrel had taken place resulting in lodging of the complaint and cross complaint. Both the parties informed that they shall not repeat their acts again. Respective affidavits/undertakings have been filed by the parties which are dated 07/03/2022 and 13/06/2022. They are taken on record and marked 'X' and 'X1' for identification.

3. Prayer clause (b) in Criminal Application No.168 of 2022 is granted, which reads thus:-

“(b) That upon hearing the parties and going through the records and proceedings of the above noted First Information Report bearing C.R.No.494 of 2021 from the office of the Respondent No.2 i.e. Bhoiwada Police Station, Mumbai this Hon’ble Court may be pleased to Quash and/or Drop the said First Information Report registered with the

Respondent No.2 and further the Applicant No.1 to 4 may be discharge from the said Charges levied against them in the First Information Report dated 26/12/2021.”

4. Prayer clause (a) in Criminal Application No.153 of 2022 is granted, which reads thus:-

“(a) This Hon’ble Court may be pleased to call for the documents and proceedings in FIR No.0644/2021 registered by the Respondent Police Station i.e. Bhoiwada Police Station, against the Applicants U/s. 141, 143, 147, 149, 323, 504 of IPC & S.37(3), 135 of Maharashtra Police Act, 1951, from the Respondent Police Station & may be pleased to call for documents & proceedings in respect of FIR No.0644/2021 against the Applicants U/s. 141, 143, 147, 149, 323, 504 of IPC & S.37(3), 135 of Maharashtra Police Act, 1951, pending before the Hon’ble Metropolitan Magistrate’s 29th Court, at Dadar, Mumbai and after perusing the same the FIR No.0644/2021 U/s. 141, 143, 147, 149, 323, 504 of IPC & S.37(3), 135 of Maharashtra Police Act, 1951, registered by the Respondent Police Station, against the Applicants, may be quashed and set aside.

5. Both Criminal Applications stand disposed of accordingly.

(MILIND N. JADHAV, J.)

(S. S. SHINDE, J.)