

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1601 OF 2021

Rijwan Najar Abbas Sayyed ...Petitioner
V/s.
The State of Maharashtra and Anr. ...Respondents

WITH
INTERIM APPLICATION NO. 2952 OF 2021
WITH
INTERIM APPLICATION NO. 2024 OF 2021

None for the Petitioner.
Mr. J.P. Yagnik, APP for the State.

CORAM : NITIN JAMDAR &
N.R. BORKAR, JJ.
DATE : 20 June 2022.

P.C. :

None for the Petitioner.

2. On 21 December 2021, the following order was passed:

“1. The matter is urgently circulated by a praecipe, which suggests that the FIR is to be quashed by consent. When called out, request is made on behalf of learned counsel for the Petitioner for time.

2. We have perused the FIR. The FIR alleges assault by the Petitioner by using a sword. The injury certificate on record shows that the injuries are grievous and on the head. Therefore, prima facie, this is not a case which can be quashed by

consent as stated in the praecipe.

3. At the request, stand over to 1 February 2022”

3. In light of this order, the Writ Petition is disposed of. However, we clarify that if a Petition/Application is filed in respect of quashing of FIR/charge-sheet on merits, which is open to the Petitioner to do so, the same be considered on its own merits.

4. Interim Applications do not survive and the same are disposed of.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)