

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.489 OF 2023

Suyog s/o Sanjeevan Jadhav & ors. ... **APPLICANTS**

VERSUS

The State of Maharashtra & anr. ... **RESPONDENTS**

.....
Mr. Sohail Subhedar, Advocate holding for
Mr. N.S. Ghanekar, Advocate for applicants
Mr. P.G. Borade, A.P.P. for respondent No.1
.....

**CORAM : SMT. ANUJA PRABHUDESSAI AND
 R.M. JOSHI, JJ.**

DATE : 2nd MARCH, 2023

P.C. :

Learned counsel for the applicants has tendered
Vakalatnamas for the applicants. The same is taken on record.

2. This is an application under Section 482 of the Code
of Criminal Procedure to quash S.C.C. No.9116/2021, pending
before the learned Judicial Magistrate, First Class, Aurangabad
which is emanating from Crime No.I-20/2021, registered with
Jawajhar Nagar Police Station, Aurangabad for the offence
punishable under Section 160 of the Indian Penal Code.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by the respondent No.2 – Police Constable, Jawahar Nagar Police Station, Aurangabad. Perusal of the First Information Report reveals that on 23/1/2021, two groups were involved in quarreling with each other near Penalty Corner Cricket Ground. The first informant has stated that the applicants herein had disturbed public peace by fighting in public. Based on the allegations made in the First Information Report, the aforesaid crime came to be registered which has culminated in filing of the criminal case.

4. The records reveal that the applicants are young boys, who are taking education. They have tendered their apology and have assured us that they would not indulge in such activities in future. Considering the aforesaid facts and particularly the fact that the registration of crime against these young boys can spoil their future prospects and pursuits, we are inclined to exercise powers under Section 482 of the Code of Criminal Procedure to secure the ends of justice. Learned A.P.P. has also upon instructions conceded that considering the peculiar facts and circumstances of the case, the crime can be quashed against these applicants.

5. Considering the above facts and circumstances, the application is allowed. S.C.C. No.9116/2021, pending before the learned Judicial Magistrate, First Class, Aurangabad stands quashed.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

fmp/-