

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

CRIMINAL WRIT PETITION NO.1428 OF 2022

Naval s/o. Bhimrao Pawar
and ors.

..Petitioners

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.D.B.Thoke, Advocate for petitioners

Mrs.V.N.Patil-Jadhav, APP for respondent no.1

Mr.P.N.Nagargoje, Advocate h/f. Mr.Ganesh Rathod, Advocate for
respondent no.2

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

DATE : FEBRUARY 09, 2023

PER COURT :-

This Writ Petition under Article 226 of the Constitution of India and Section 482 of the Code of Criminal Procedure, has been filed to quash the FIR bearing Crime No.0166 of 2022 registered with Mehunbare Police Station, Dist. Jalgaon, for the offences punishable under Sections 353, 332, 323, 294, 504, 506, 427 and 186 read with Section 34 of Indian Penal Code.

2. The aforesaid crime was registered pursuant to the FIR lodged by the respondent no.2. The FIR reveals that on 16.07.2022, the petitioners herein had assaulted and abused the respondent no.2, while he was discharging his duties as a Driver of M.S.R.T.C. Bus.

3. Learned counsel for the petitioners states that the parties have settled the dispute amicably. He has placed on record the compromise purshis, which is signed by the petitioners as well as the respondent no.2. The respondent no.2 was present in the Court on the last date of hearing and he had confirmed the contents of the compromise purshis and had stated that the petitioners tendered their apology in view of which, he does not wish to proceed against them.

4. Considering the nature of the dispute and the fact that the respondent no.2, who is an aggrieved party, has no objection for quashing the FIR, in our considered view, this is a fit case to exercise the discretion under Section 482 of the Criminal Procedure, to secure the ends of justice.

5. Hence, the application is allowed. Consequently, FIR bearing Crime No.0166 of 2022 registered with Mehunbare Police Station, Dist. Jalgaon, for the offences punishable under Sections 353, 332, 323, 294, 504, 506, 427 and 186 read with Section 34 of Indian Penal Code, shall stand quashed, subject to costs of Rs.20,000/- (Rupees Twenty Thousand) to be deposited within a period of two weeks by the petitioners in Dattaji Bhale Blood Bank, Dr.Hedgewar Hospital Premises, Aurangabad, which is stated to be an N.G.O. helping Thalassemia patients, on `No Profit No Loss' basis.

[R.M. JOSHI, J.]

[SMT. ANUJA PRABHUDESSAI, J.]

KBP