

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.108 OF 2022

SANDEEP ARJUN VAZARKAR AND ANR

...Petitioners

Versus

STATE OF GOA THR. PUBLIC PROSECUTOR
AND 2 ORS

... Respondents

Mr Y.V. Nadkarni with Mr Sanket Kamat, Advocates for the Petitioners.

Mr P. Faldessai, Additional Public Prosecutor for Respondent- State

Mr N. Noronha, Advocate for Respondent No.3.

**CORAM: M.S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATED : 17th JANUARY, 2023

P. C.

1. Heard Mr Y.V. Nadkarni with Mr Sanket Kamat, learned Counsel for the petitioners, Mr P. Faldessai, learned Additional Public Prosecutor for respondent-State and Mr N. Noronha, learned Counsel for respondent No.3.

2. This is a petition for quashing FIR No.145 of 2022 dated 11/06/2022 registered against the petitioner at Mapusa Police Station for offences punishable under Section 406, 420 r/w. 34 of the Indian Penal Code, 1860 ('IPC' for short).

3. The complainant–respondent no.3 has filed an affidavit before us stating that a settlement has been arrived at between the parties and in

terms of the settlement, the parties have cancelled the Agreement for Sale and the complainant has refunded the amount of ₹20,00,000/-.

4. The affidavit states that the complainant does not wish to pursue the complaint and this fact was also informed to the Police Authorities. Mr Noronha, learned Counsel for respondent No.3, therefore, submits that respondent No.3 will have no objection if the FIR is quashed.

5. The complaint had predominantly a civil profile. In any case now that the parties have settled the matter, the joint request of the learned Counsel for the petitioners and respondent No.3 for quashing the FIR could be accepted. However, the petitioners and respondent No.3 will have to pay costs of ₹15,000/-each, i.e. total costs of ₹30,000/-.

6. Accordingly, the petitioners are directed to deposit costs of ₹15,000/- and respondent No.3 to deposit costs of ₹15,000/-. Mr Nadkarni and Mr Noronha, learned Counsel state that such costs will be deposited within two weeks from today.

7. The costs to be credited in the account of Goa State Legal Services Authority.

8. Subject to payment of the above costs, the impugned FIR No.145 of 2022 dated 11/06/2022 registered at Mapusa Police Station is hereby quashed.

BHARAT P. DESHPANDE, J

M.S. SONAK, J.