



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1433 OF 2021

Lallan Aditya Narayan Singh & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Ms. Kusum Pandey for the Petitioners.

Mrs. M.H. Mhatre APP, for the Respondent-State.

Mr. S.H. Singh i/by Vivek Tiwari for the Respondent No.2.

**CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 31st AUGUST, 2023.

P.C.:-

- 1) Petitioners have invoked jurisdiction of this Court under Article 226 of the Constitution of India, for quashing of C.R.No.I-253 of 2020 dated 3rd March, 2020 registered with Tulinj Police Station, District Palghar under Sections 323, 504, 452, 143, 144, 147, 149, 427 and 324 of the Indian Penal Code, with the consent of Respondent No.2, the informant.
- 2) Learned Advocate for the Petitioners submitted that, till date the police have not filed charge-sheet. The said statement is accepted.
- 3) Record reveals that, our predecessors had interacted with Respondent No.2 and he had given his consent voluntarily for quashing of the present crime. Respondent No.2 has also filed an Affidavit dated 19th February, 2021 and in paragraph No.4 thereof, he has given his no objection

for quashing of the crime in question. It is stated therein that, the matter is amicably settled between him and the Petitioners.

Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 19th February, 2021 and 'no objection' for quashing of the crime in question.

4) In view of the above, we are inclined to quash C.R.No.I-253 of 2020 dated 3rd March, 2020 registered with Tulinj Police Station, District Palghar.

5) As we expressed our opinion for quashing of said C.R.No.I-253 of 2020 dated 3rd March, 2020 registered with Tulinj Police Station, District Palghar. learned Advocate for the Petitioners on instructions submitted that, the Petitioners will pay a cost of Rs.3,000/- each totalling to Rs.27,000/- to Kirtikar Law Library, High Court, Mumbai within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

5.1) We direct the Petitioners to pay cost of Rs.3,000/- each totalling to Rs.27,000/- to Kirtikar Law Library, High Court, Mumbai within a period of two weeks from the date of uploading of the Order on the official website of Bombay High Court.

5.2) Petitioners to deposit the said cost of Rs.27,000/- within stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

- 6) In view of the above and subject to payment of cost, Application is allowed in terms of prayer clauses (b).
- 7) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition shall stand automatically revived and in that event, the trial Court will proceed with the case expeditiously.
- 8) List the Petition on 27th September, 2023 under the caption '*for reporting compliance*' of Order.
- 9) All the concerned to act on the basis of an authenticated copy of this Order.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)