

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Writ Petition No. 1182 of 2022

Zaid Khan & anr. v/s.	...	Petitioners
The State of Maharashtra & anr.	...	Respondents

Mr Sarthak Shetty for the petitioners.

Mr Ravi Dwivedi for respondent No.2.
Ms M H Mhatre, APP for the State.

**CORAM : NITIN W. SAMBRE &
R.N.LADDHA, JJ.**

DATE : 20 June 2023

P.C. :

This petition is for quashing of an offence being Crime No. 133/2021 registered with non-applicant police station punishable under Sections 142,143,147,149, 452,42,07,324,323,504,506 of the IPC.

2. The genesis of the offences alleged is that petitioners and Complainant are neighbours and on account of differences due to playing badminton game late in night, the petitioners appear to have

attacked the Complainant and his family members resulting into causing injury and damage to household articles like TV.

3. Since the Complainant and the applicants are the neighbours, they have amicably decided to resolve their issue. The respondent-Complainant has tendered an affidavit dt. 12 March 2023 extending consent for quashing of the offence. The respondent-Complainant who is present in Court is identified by the Counsel, so also the police officer who is present in the Court.

4. The respondent No.2-Complainant has extended the consent for quashing of the offence as it is claimed that the Complainant and applicant intend to have cordial relations with neighbours.

5. In view of above, no purpose will be served in keeping the prosecution pending against the Complainant. That being so, present petition stands allowed in terms of prayer clause (a) subject to payment of cost of Rs.25,000/- to be paid by petitioners to the Police Welfare Fund. The amount of cost be paid within two weeks from today and acknowledgment to that effect be placed on record forthwith.

6. For reporting compliance, the matter should come up before this Court on **12 July 2023**.

7. It is made clear that if the amount is not paid, the order quashing the offence shall stand revived and Court will be constrained to issue non-bailable warrant against the petitioners.

R.N. LADDHA, J.

Lata Panjwani, P.S.

NITIN W. SAMBRE, J.