

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 1978 OF 2023**

Kapil Vishwas Patwardhan & Ors.

.. Petitioners

V/s.

State of Maharashtra & Anr.

.. Respondents

Mr. Rajas Naik i/by Mr. Rhishikesh Ganu for Petitioners

Mrs. G. P. Mulekar, APP for Respondent No.1 - State

Mr. Sattyendra Muley a/w. Ms. Yogini Digraskar for Respondent No.2

**CORAM : A. S. GADKARI AND
SHIVKUMAR DIGE, JJ.****DATE : 16th JUNE 2023.****P.C. :**

1. By the present Petition, Petitioners - Accused in Crime No. 124 of 2023 registered with Yerwada Police Station, Pune dated 14.02.2023 for the offences under Sections 441, 354, 279, 336, 323, 504, 506, 509 of Indian Penal Code, 1860 ("IPC") along with Section 184 of Motor Vehicle Act, 1988 have prayed for quashing the said crime with the consent of Respondent No.2, the informant.

2. Learned Advocate for Respondent No.2 has filed an affidavit dated 06.04.2023. In paragraph No. 3 thereof she has stated that, the dispute between her and Petitioners have been

amicably settled and she has no objection if crime in question is quashed and set aside by the Court.

3. In view thereof, we expressed our opinion for quashing of said C.R. No. 124 of 2023 registered with Yerwada Police Station District Pune. Learned Advocate for Petitioners on instructions submitted that, Petitioners will pay a cost of Rs.25,000/- either jointly or severally to Central Police Welfare Fund within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

4. We direct Petitioners to pay a cost of Rs.25,000/- to Central Police Welfare Fund within a period of two weeks from the date of uploading of the present Order on the official website of Bombay High Court.

The details of the Bank Account for payment of cost are as under:-

Bank Name :- Axis Bank Limited

Branch Name :- Worli, Mumbai (M.H.), Mumbai-400 025

Account Name :- Central Police Welfare Fund

Account Number :- 914010029005759

IFSC Code :- UTIB0000060

Petitioners to deposit the said cost of Rs.25,000/- within the stipulated period as noted above and submit the receipt of the same in the Registry of this Court.

5. In view of the above, subject to payment of cost, Petition is allowed in terms of prayer clause (a).

6. It is made clear that, if the Petitioners have failed to deposit the said cost within stipulated period as mentioned above, present Petition shall automatically stand revived and in that event, the investigating agency will conduct the investigation of the crime in question expeditiously.

7. List the Petition on 7th July 2023 under caption '*for reporting compliance*' of present Order.

8. All the concerned to act on the basis of an authenticated copy of this Order.

(SHIVKUMAR DIGE, J.)

(A.S. GADKARI, J.)