

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3657 OF 2022**

Prashant Anoop Agrahari and ors. ... Petitioners

Versus

State of Maharashtra and anr. ... Respondents

**WITH
WRIT PETITION NO. 3699 OF 2022**

Shaurya Girish Waghmare and ors. ... Petitioners

Versus

State of Maharashtra and anr. ... Respondents

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Mr. Aniket Yadav for the Petitioners in WP/3657/2022.

Mr. Shubham Upadhyay a/w Mr. Fahad Qureshi i/b

Ms. Renu Yadav for the Petitioners in WP/3699/2022.

Mr. S. V. Gavand, APP for the State.

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**CORAM : SMT. ANUJA PRABHUDESSAI &
N.R. BORKAR, JJ.**

DATED : 26 SEPTEMBER 2023

P.C. :-

Both these petitions are filed to quash FIR Nos. 236 of 2022 and 237 of 2022 both dated 17 July 2022 registered with Vashi Police Station for offences under Sections 141, 142, 143, 146, 147, 149, 323, 324, 354 of the Indian Penal Code.

2. The First Information Report lodged by respondent

No. 2 in the respective petitions indicate that the petitioners as well as the victims/injured had got together in a Pub known as 'Social Pub' at Vashi. They consumed alcohol and thereafter, indulged in quarreling and fighting with each other.

3. The petitioners as well as respondent No. 2 in the respective petitions were taken to the police station and pursuant to the FIR lodged by the respondent No. 2 crime came to be registered against the petitioners in the respective petitions.

4. Learned counsel for the petitioners and respondent No. 2 in the respective petitions stated that the parties have settled the dispute amicably. They have stated that the incident occurred under the influence of alcohol. They have decided to maintain good relationship with each other and withdraw the cases filed against each other.

5. The first informant as well as victims are present before this Court. They accepted that the matter has been settled amicably. We are satisfied that the settlement is

genuine. The victims in the respective petitions have also filed their affidavits and have given consent to quash the proceedings.

6. Considering the fact that there are cross FIRs and the fact that the parties have now settled the dispute amicably, in our considered view, this is a fit case to exercise the discretion and quash the proceedings to secure ends of justice. Hence, the following order:

- (i) The Petitions are allowed.
- (ii) FIR Nos. 236 of 2022 and 237 of 2022 registered with Vashi Police Station for offences under Sections 141, 142, 143, 146, 147, 149, 323, 324, 354 of the Indian Penal Code are hereby quashed subject to payment of cost of Rs. 25,000/- to be paid by the petitioners in each petitions to the Central Police Welfare Fund within a period of two weeks from the date of this order.

(N.R. BORKAR, J.) (SMT. ANUJA PRABHUDESSAI, J.)