

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

CRIMINAL APPLICATION NO.931 OF 2018

Ratanlal Girdharilal Lalwani & Anr.

..Applicants

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. Deepak Pandey, for the Applicants.

Mr. J. P. Yagnik, APP for the Respondent/State.

Mr. J. S. Yadav, for the Respondent No.2.

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

DATE : 10th JULY, 2023

PC.

1. Leave to amend so as to enable the applicants to place on record charge-sheet. Amendment to be carried out forthwith.

2. Pursuant to the alleged offence dated 10th July, 2018, wherein the applicants claim to have assaulted the complainant/respondent No.2 who belongs to reserve category and is entitled for the protection under Section 3 of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016. It is informed that after the investigation, the applicants are charge-sheeted for an offence punishable under Section 3(2), (va) of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 and Sections 504, 506 r/w 34 of IPC.

3. Parties hereto claim that they are residing in the very same locality. The complainant is an advocate by profession who is present in the Court and is represented by counsel Mr. J. S. Yadav. The complainant has tendered an affidavit thereby extending consent for quashing as it is claimed that the son of the applicant No.1, Girish is a friend of the complainant and they have decided to amicably resolve the issue.

4. In view of above affidavit tendered by the complainant who himself is a lawyer by profession, we deem it appropriate to allow the prayer for quashing by consent by taking on record consent affidavit.

5. Considering the law laid down by the Apex Court in the matter of *Gian Singh Vs. State of Punjab & Anr.* reported in **(2012) 10 SCC 303**, we deem it appropriate to allow the petition as no purpose will be served in keeping the proceedings pending.

6. The application as such stands disposed of. As a sequel of above, the FIR and charge-sheet filed against the applicants are quashed and set side subject to both the applicants paying cost of Rs.15,000/- to the Legal Services Authority within period of four weeks from today.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]