

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

CRIMINAL APPLICATION NO.1081 OF 2021

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Mr. Mohd. Taufik Mohd. Yasin Qureshi & Ors. ..Applicants

Versus

The State of Maharashtra & Anr. ..Respondents

Mr. Ravindra B. Mungekar a/w Chandan Singh, for the Applicants.

Mr. K. V. Saste, APP for the Respondent/State.

Mr. Sandeep S. Dhuri, for the Respondent No.2.

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

DATE : 18th JULY, 2023

PC.

1. Leave to amend.

2. Amendment to be carried out forthwith.

3. Applicants are praying for quashing of FIR being Crime No.239 of 2019 registered on 27th November, 2019 punishable under Sections 323, 504, 506 r/w 34 of IPC r/w 4 and 25 of Arms Act based on the alleged incident dated 27th July, 2019.

4. The prosecution case is based on the physical assault carried by the accused persons.

5. The applicants are already charge-sheeted.

6. The respondent No.2/complainant is present in the Court and has submitted an affidavit extending consent for quashing thereby stating that they have amicably settled the matter and has no intention to proceed against the accused persons. It is claimed that they have amicably settled the matter because they are residing in the same locality and in view of mediation by the friends and respectable persons.

7. In view of above, having regard to the law laid down by Apex Court in the matter of ***Gian Singh Vs. State of Punjab & Anr.*** reported in ***(2012)10 SCC 303*** and ***Narinder Singh & Ors. Vs. State of Punjab & Anr.*** reported in ***(2014) 6 SCC 466***, no purpose will be served in keeping criminal proceedings pending against the applicants.

8. That being so, the present application stands allowed.

9. The offence being Crime No.239 of 2019 registered Kherwadi Police Station for the offence punishable under Sections 326, 504, 506, 34 of IPC r/w 4 and 25 of Arms Act, so also, consequential charge-sheet filed against the applicants are hereby quashed subject to payment of cost of Rs.5000/- to be paid by each of the applicants to the Kirtikar Law Library within period of two weeks from today.

10. Applicants shall produce acknowledgment of payment of

cost within said period before the Registry.

11. In case if the cost is not paid or the acknowledgment is not produced before the Registry, the matter be listed before this Court for passing appropriate orders against the applicants.

12. The application stands disposed of accordingly.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]