

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3579 OF 2022

Mayur Prahlad Satale and Anr. ... Petitioners.

Versus

The State of Maharashtra and Anr. ... Respondents.

Mr. Sachin Deokar for the Petitioners.
Mr. J.P. Yagnik, APP for the Respondent-State.
Mr. Rushikesh Kale, for Respondent No.2.

CORAM : NITIN W. SAMBRE &
SHARMILA U. DESHMUKH, JJ.

DATE : June 14, 2023.

ORDER (Per : Sharmila U. Deshmukh, J.):

1. Heard.
2. Pursuant to a complaint lodged by the Respondent No.2, crime being C.R. No. 352 of 2022 came to be registered against the Petitioners for the alleged offences punishable under Sections 324, 323, 308, 504, 34 of the Indian Penal Code, 1860; under Sections 4, 25 of Arms Act and under Sections 37(1), 37(3) and 135 of the Maharashtra Police Act, 1951 with Bhosari M.I.D.C. Police Station, Pimpri Chinchwad, Pune.

3. The Petitioners and the Respondent No.2 are residents of the same village and have known each other. The allegation appears to be that on the date of incident i.e. 12th June, 2022, there was some altercation between the Petitioners and the Respondent No.2 leading to the Petitioners assaulting the Respondent No.2 which led to filing of the FIR.

4. This Court is informed by the counsel that considering the relations between the parties that they being childhood friends, they have amicably settled their dispute and the Respondent No.2 has no objection for quashing and setting aside the FIR lodged at his instance. The Respondent No.2 is present in-person in the Court and his consent-affidavit is tendered which is taken on record. The contents of the affidavit are reiterated by the Respondent No.2, who is identified through his counsel and his Aadhar Card.

5. Considering the relations between the parties and the nature of dispute and the fact that the parties have now decided not to proceed further with the criminal proceedings, we see no impediment in allowing the petition.

6. Writ Petition stands allowed in terms of prayer clause “b”,

which reads thus:

“b. By issuing an appropriate Writ/ Order/Direction, this Hon’ble Court be pleased to call for the records and proceedings arising out of C.R. No.352 of 2022 dated 13.06.2022 for offence punishable under Section 324, 323, 308, 504, 34 of Indian Penal Code, 1860 and under section 4, 25 of Arms Act and under section 37(1), 37(3) & 135 of Maharashtra Police Act, 1951 registered with Bhosari M.I.D.C. Police Station, Pimpri Chinchwad, Pune, after going through the legality, validity and propriety of the same, be pleased to quash and set aside all further proceedings;”

[Sharmila U. Deshmukh, J.]

[Nitin W. Sambre, J.]