

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3685 OF 2023**

Usha Sagar Murjani And Ors.

...Petitioners

Versus

State Of Maharashtra And Anr

...Respondents

WITH**CRIMINAL APPLICATION (APL) NO.1404 of 2023**

Shyam Chhabria and Anr.

...Applicants

Versus

State Of Maharashtra

Through Shivajinagar Police Station and Anr.

...Respondents

Ms. Kishin Poptani for petitioner in WP/3685/2023 and respondent in APL No. 1404 of 2023.

Mr. Hare Krishna Mishra i/by Mr. Haresh G. Punjabi Advocate for Applicants in APL/1404/2023 and respondent No.2 in WP/3685/2023.

Mrs. M. H. Mhatre, APP for Respondent-State.

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**CORAM : PRAKASH D.NAIK AND
N. R. BORKAR, JJ.**

DATE : 28th NOVEMBER 2023

P.C.:-

1. Heard both sides.
2. The petitioners in Criminal Writ Petition No. 3685 of 2023 are seeking quashing of FIR No. 486 of 2023 dated 10th October 2023 registered with Shivaji Nagar Police Station, District Thane City for offences punishable under Sections 323, 504, 142 and 147 of Indian Penal Code,

1860 (for short “IPC”) whereas the applicant in Criminal Application No. 1404 of 2023 challenged FIR registered with the same Police Station vide C.R. No.483 of 2023 for offences punishable under Sections 324, 504 read with 34 of the Indian Penal Code.

3. The petitioners/applicants and the respondents are members of same co-operative housing society. Both complaints refer to quarrel, abuses and assault ensued between them. It is submitted that that members of society had intervened and resolved the dispute amicably. The complainant in each case have no objection for quashing FIR.

4. Complainants in both the complaints are present in the Court. They have filed affidavits indicating consent for quashing both First Information Reports. Affidavits are taken on record.

5. Considering the nature of dispute and offences registered against the parties and since both sides have resolved their differences and agreed for quashing the proceedings by consent, the relief sought in these proceedings can be granted.

ORDER

- (i) Criminal Writ Petition No. 3685 of 2023 is allowed.
- (ii) FIR registered with Shivaji Nagar Police Station vide C.R. No. 486 of 2023 under Sections 323, 504, 142 and 147 of Indian Penal Code, 1860 is quashed and set aside.
- (iii) Criminal Application No. 1404 of 2023 is allowed.

(iv) FIR registered with Shivaji Nagar Police Station vide C.R. No.483 of 2023 under Sections 324, 504 read with 34 of the Indian Penal Code, 1860 is quashed and set aside.

(v) Both proceedings are disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)