

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 93 OF 2024

Asha Shaikh and ors. ... Applicants

Versus

The State of Maharashtra and anr. ... Respondents

AND

CRIMINAL APPLICATION NO. 103 OF 2024

Meeta Vivek Malani and ors. ... Applicants

Versus

The State of Maharashtra and anr. ... Respondents

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Mr. Ganesh Gole i/b Bhavin Jain for the Applicant in APL/93/2024 and for Respondent No. 2 in APL/103/2024.

Mr. Ateet Shirodkar for the Applicant in APL/103/2024.

Ms. Rutuja Ambekar, APP for the State in APL/93/2024.

Mr. Ajay Patil, APP for the State in APL/103/2024.

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

DATED : 1 FEBRUARY 2024

P.C. :-

These applications are filed under Section 482 of the Code of Criminal Procedure to quash Crime Nos. 245 of 2023 and 246 of 2023 registered with Central Police Station, Ulhasnagar, District Thane for offences under

Sections 324, 323, 354, 427, 504, 509, 143, 147, 149 r/w 34 of the Indian Penal Code and Sections 37(1) and 135 of Maharashtra Police Act.

2. Learned counsel for the applicants and respondent No. 2 in respective applications state that the parties have settled the dispute amicably. They have placed on record affidavit of the respondent No. 2 in respective applications. Respondent No. 2- Abhilasha and Sultana in respective applications are present before the Court. They confirm the contents of the affidavits and reiterate that the dispute has been amicably settled and that they have no objection to quash the FIR.

3. The facts narrated in the FIR indicate that the dispute between the parties was over parking of a motor cycle. There was an altercation between both the parties which led to the incident of assault and abuse. The dispute is private in nature. The parties have settled the dispute and the settlement is voluntary and genuine. In such circumstances, continuance of criminal proceedings will be

an exercise in futility. Hence, quashing the FIR/ criminal proceedings will secure the ends of justice. Under the circumstances, the Applications are allowed.

4. Crime Nos. 245 of 2023 and 246 of 2023 registered with Central Police Station, Ulhasnagar, District Thane for offences under Sections 324, 323, 354, 427, 504, 509, 143, 147, 149 r/w 34 of the Indian Penal Code and Sections 37(1) and 135 of Maharashtra Police Act are hereby quashed subject to payment of cost of Rs. 30,000/- payable by the applicants and respondent No. 2 in each of these cases to the Central Police Welfare Fund, Director General of Police, Maharashtra State, Mumbai within a period of three weeks. The details of the bank account for payment of cost are as under :

Bank Name : Axis Bank Ltd.
 Branch Name : Worli, Mumbai [MH], Mumbai - 400 025.
 Account Name : Central Police Welfare Fund
 Account No. : 914010029005759
 IFSC Code : UTIB0000060.

Digitally
 signed by
 MANGALTAI
 JAYWANT
 JADHAV
 Date:
 2024.02.05
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(N.R. BORKAR, J.) (SMT. ANUJA PRABHUDESSAI, J.)