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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 66 OF 2024

Sangeeta Menghraj Goswami and another ... Applicants

Versus

State of Maharashtra and another ... Respondents

WITH

CRIMINAL APPLICATION NO. 121 OF 2024

Ranjitha Mahdu Madhpati and others ... Applicants

Versus

State of Maharashtra and another ... Respondents

.....

Mr. Monish Bhatia for the Applicants in APL-66-2024 and for the Respondent No.2 in APL-121-2024.

Mr. Monty Teckchandani alongwith Mr. Wahab Khan for Respondent No.2 in APL-66-2024 and for the Applicants in APL-121-2024.

Ms. M.M. Deshmukh, APP for the State.

Respondent No.2 present in both Applications.

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

DATED : 30 JANUARY 2024

P.C. :-

1. Applicants seek to quash First Information Report Nos.376 of 2023 and 377 of 2023 registered with Shivaji Nagar

Police station, Ambernath for the offences under Section 323, 354, 504, 143, 147 & 427 of Indian Penal Code.

2. The aforesaid crime was registered pursuant to the First Information Report lodged by Respondent No.2 in respective Petitions.

3. Perusal of the F.I.R. and and cross F.I.R. reveals that society meeting was scheduled on 5 August 2023 and that there was altercation leading to assault between the parties while the minutes of the meeting were being recorded.

4. 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 Affidavits filed by Respondent No.2 in respective Applications wherein they have stated that they do not wish to proceed with the matter and have no objection to quash the F.I.R. and the cross F.I.R.

5. Respondent No.2 in respective Applications are present in Court. They have been identified by their Counsel. Respondent No.2 state that they have settled the dispute amicably and that they

do not wish to proceed with the criminal proceedings.

6. In our view, the settlement is voluntary and genuine. Considering the nature of offence and the fact that the parties have settled the dispute amicably, continuance of criminal proceedings will be an exercise in futility. Hence, this is a fit case to exercise powers under Section 482 of the Cr.P.C. to secure the ends of justice. Hence, the order :

- (i) Both the Applications are allowed.
- (ii) First Information Report Nos.376 of 2023 and 377 of 2023 registered with Shivaji Nagar Police station, Ambernath stand quashed, subject to the payment of costs of Rs.10,000/- to be paid by each of the Applicants to the Advocates Association of Western India Generation Next, within a period of two weeks from today and submit receipt of payment of costs to the Registry. The details of account are as under:

Name : AAWI Generation Next.

Account No. : 000110110007807

Bank Name & Branch : Bank of India, Mumbai Main Branch.

IFSC Code : BKID00000001.

(iii) The Applicants are put to notice that in the event the costs are not paid within a period of two weeks from today, the order stands recalled.

(iv) The Registry to place the matter for compliance only if the Applicants fail to pay the costs.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)