

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**WRIT PETITION NO. 509 OF 2024**

Ravi Bansi Jaising ... Petitioner

Versus

1. The State of Maharashtra

2. Appasaheb Birajdar ... Respondents

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Mr. Siddesh Bhole a/w Yakshay Chheda i/b SSB Legal and Advisory for the Petitioner.

Mr. Y. M. Nakhwa, APP for the State.

Mr. Aksah Kavade for Respondent No. 2.

Mr. R. P. Deshmukh, PSI, Bandra Police Station.

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

**DATED : 20.02.2024**

**P.C. :-**

Learned Advocate for the petitioner seeks leave to amend the prayer clause to challenge the charge-sheet. Leave granted. Amendment to be carried out forthwith.

2. Parties have resolved the dispute. The petitioner has challenged the FIR dated 13.10.2023 registered with Bandra Police Station vide Crime No. 1569 of 2023 for offences under Sections 406, 419, 420 r/w 34 of the Indian Penal Code.

3. During the pendency of this application, charge-sheet is filed and the case is now numbered as CC No. 942/PW/2024.
4. Learned Advocate for the petitioner and respondent No. 2 jointly submitted that parties have amicably settled the dispute and the complainant/respondent No. 2 has no objection for quashing the proceedings.
5. Respondent No. 2 is present in the Court. He has admitted the contents of the affidavit. He has expressed his consent for quashing the impugned proceedings. The affidavit filed by him taken on record.
6. Considering the nature of allegation and since the parties have resolved the dispute with the consent of the complainant, the impugned proceedings can be quashed.

### **ORDER**

- (i) Writ Petition No. 509 of 2024 is allowed.
- (ii) The proceedings in CC No. 942/PW/2024 pending before learned Magistrate 12<sup>th</sup> Court, Bandra arising out of FIR dated 13.10.2023 registered with Bandra Police Station vide Crime No. 1569 of 2023 for offences under Sections 406, 419, 420 r/w 34 of the Indian Penal Code are quashed and set aside.
- (iii) The petitioner shall pay cost of Rs. 50,000/- to the Central

Police Welfare Fund, Director General of Police, Maharashtra State, Mumbai.

(iv) 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                           |

(v) Petitioner to deposit the said cost of Rs. 50,000/- within a period of three weeks from today and submit the receipt of the same in the Registry of this Court.

(vi) It is made clear that, if the Petitioner fails to deposit the said cost within stipulated period, the present Petition shall stands automatically revived.

7. It is clarified that the proceedings shall continue against the other accused.

**( N.R. BORKAR, J.)**

**(PRAKASH D. NAIK, J.)**