

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 839 OF 2024

Snehal Gajanan Mayekar

...Petitioner

Versus

1. The State Of Maharashtra

2. Wishes Wilson Lawrence

...Respondents

Mr.Tushar Halwai Advocate for Petitioner.

Ms. S.E. Phad, APP for Respondent-State.

Mr. Ashray P. Dave Advocate for Respondent No.2.

PSI M. B. Dhumal, Bhoiwada Police Station is present.

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

DATE : 14th MARCH 2024

P.C.:-

1. This petition is for quashing by consent the impugned proceedings in PS/992/2017 pending before the learned Metropolitan Magistrate, 29th Court, Bhoiwada, Dadar, Mumbai, arising out of FIR dated 18th November 2017 registered with Bhoiwada Police Station vide C.R. No.258 of 2017 for offence under Sections 279 and 338 of the Indian Penal Code, 1860.

2. The grievance of the complainant was that, the complainant and his wife were travelling on motorcycle and at that time the accused, who was driving the four wheeler had bumped into his vehicle resulting in injury suffered to complainant and his wife. The complainant suffered fracture

and his wife had suffered minor injury.

3. It is jointly submitted that the parties have resolved the dispute and the complainant/Respondent No.2 has no objection for quashing the impugned proceedings.

4. The complainant/respondent No.2 is present in the Court. He has admitted that, there is settlement between the parties and he has no objection for quashing the impugned proceedings. The complainant has filed affidavit indicating the settlement between the parties and his consent for quashing the proceedings. The affidavit is taken on record.

5. Considering the fact that the parties have resolved their differences and complainant has no objection for quashing the impugned proceedings, there is no impediment in allowing the petition.

ORDER

- (i) Criminal Writ Petition No.839 of 2024 is allowed;
- (ii) The proceedings in PS/992/2017 pending before the learned Metropolitan Magistrate, 29th Court, Bhoiwada, Dadar, Mumbai, arising out of FIR dated 18th November 2017 registered with Bhoiwada Police Station vide C.R. No.258 of 2017 is quashed and set aside against the petitioner.
- (iii) The Petitioner shall pay the cost of Rs.10,000/- to Advocates'

Association of Western India Generation Next within a period of three weeks from today and submit the receipt of the same in the Registry of this Court. The details of the Bank Account for payment of costs are as under:-

Account Name	: Advocates Association of Western India Generation Next
Account Number	: 000110110007807
Bank Name	: Bank of India
Branch Name	: Mumbai Main
IFSC Code	: BKID0000001

(iv) Criminal Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)