

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 838 OF 2024

Anshuman Brijraj Singh

...Petitioner

Versus

1. The State Of Maharashtra

2. Hemant Laxman Kamble

...Respondents

Mr.Ramdas Hake Patil Advocate for Petitioner.

Mr. A. S. Shalgaonkar, APP for Respondent-State.

Mr. Prashant P. Raul Advocate for Respondent No.2.

PSI R. N. Loke, Sakinaka Police Station is present.

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

DATE : 14th MARCH 2024

P.C.:-

1. The petitioner is charge-sheeted for offences under Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the proceedings are pending before the learned Sessions Court at Dindoshi, Mumbai vide Special Case No.5 of 2023. The FIR has been registered on 2nd August 2021 with Sakinaka Police Station, Mumbai vide C.R. No.176 of 2021 for the aforesaid offences at the instance of Respondent No.2.

2. It is submitted that, the parties have amicably settled the dispute. The petitioner and complainant/respondent No.2 were employed in the same company. Action of terminating the services of the complainant was

initiated and the complainant was directed to deposit his articles with the petitioner. In the said process, it was alleged that the petitioner had abused the complainant on the basis of his caste.

3. The petitioner and Respondent No.2/complainant are present in the Court. Respondent No.2 has asserted that, he has no objection for quashing the impugned proceedings. The affidavit affirmed by complainant is tendered. In the affidavit it is stated that, the complainant has no objection if the FIR bearing C.R. No.176 of 2021 dated 2nd August 2021 registered with Sakinaka Police Station is quashed and set aside against the petitioner.

4. Since the offences arises out of the incident which had occurred between the petitioner and complainant and in view of settlement between the parties, the impugned proceedings can be quashed against the petitioner.

ORDER

- (i) Criminal Writ Petition No.838 of 2024 is allowed;
- (ii) The proceedings in Special Case No.5 of 2023 pending before the learned Sessions Court at Dindoshi, Mumbai arising out of FIR dated 2nd August 2021 registered with Sakinaka Police Station, Mumbai vide C.R. No.176 of 2021 is quashed and set aside against the petitioner.
- (iii) The Petitioner shall pay the cost of Rs.15,000/- 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) Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)