

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 914 OF 2024

Junaid Asif Shaikh @ Junaid Asif Qureshi ...Petitioner

Versus

The State Of Maharashtra and Anr. ...Respondents

Mr.Pranav Avhad a/w Ms.Darshna Naval, Mr.Yashaswi Pande
Advocates for Petitioner.

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

Ms.Alisha Pinto Advocate for Respondent Nos. 2 and 3.

PSI Yogesh Chinchole, Vikroli Police Station is present.

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

DATE : 20th MARCH 2024

P.C.:-

1. This petition is filed for quashing of FIR registered with Vikroli Police Station, Mumbai on 29th February 2024 vide C.R. No.99 of 2024 for offences under Sections 326, 504 of Indian Penal Code, 1860.
2. Parties have settled the dispute. The Respondent Nos.2 and 3 have no objection for quashing the FIR. They are present in the Court. They are represented by Advocate. They have filed affidavit of consent.
3. Learned Advocate for petitioner submits that the petitioner is aged around 18 years. Petitioner and Respondent No.3 are friends. Incident had occurred at the spur of movement. There was no pre-meditation. The alleged weapon which was lying near the shop was used in which the

incident had occurred. Petitioner is pursuing his career. Hence, the FIR may be quashed.

4. Learned APP submits that, the offence is of serious nature. Petitioner has used sickle in assaulting the injured person. The victim had suffered two injuries. Considering the nature of injuries, the FIR may not be quashed.

5. We have perused the FIR which indicates that, the injured and accused are known to each other. On 28th February 2024, there was altercation between them. At the same time, the accused picked up weapon which was lying near the shop and assaulted the injured.

6. Considering the factual aspects of this matter and since the parties have settled their differences, the FIR can be quashed.

ORDER

- (i) Criminal Writ Petition No. 914 of 2024 is allowed;
- (ii) The impugned FIR dated 29th February 2024 registered with Vikroli Police Station vide C.R. No.99 of 2024 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 two 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.)