

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1061 OF 2024

**1. Riyaz Ayub Khan
2. Naggan Nabban Siddique
3. Minhaj Mohammed Patel**

...Petitioners

Versus

**1. The State of Maharashtra
2. Razzak Nasir Shaikh**

...Respondents

....

Ms. Bushra Sayed i/by Pragya Mishra, Advocate for the Petitioner.

Ms. K. T. Hivrale, APP for Respondent-State.

Mr. Siddharth Awasthi for Respondent No.2/complainant.

Mr. Razzak N. Shaikh Respondent No.2 is present.

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

DATE : 2nd APRIL 2024

P.C.:-

1. Not on board. Taken on board.
2. The petitioners are chage-sheeted in Police Case No. PW/550/2016 pending before the learned Metropolitan Magistrate, 1st Court at Andheri, Mumbai arising out of FIR dated 3rd July 2015 registered with Meghwadi Police Station, Mumbai vide C.R. No.185 of 2015, for offences under Sections 323, 324, 504, 506 read with 34 of the Indian Penal Code, 1860.

3. The FIR was registered at the instance of Respondent No.2. The complainant has alleged that on 3rd July 2015 while he was at inaugural function of hotel, the accused abused and assaulted him with fist and blows. One of them gave a blow by knife on his left hand.

4. Pursuant to registration of FIR, investigation was completed and charge-sheet was filed against the petitioners for the aforesaid offences.

5. Parties have settled the dispute. The complainant has no objection for quashing the proceedings. The complainant is present in the Court. He is represented and identified by Advocate. He has filed affidavit in reply stating that mediation was conducted by local NGO and eminent persons and sorted out the dispute. He is giving consent and no objection for quashing the FIR.

6. We have perused the FIR which relates to incident of assault. One of the accused used knife. The injury was caused to the hand of the complainant. The injury certificate refers to injury on the arm. It appears that injury was not grievous. The parties intend to maintain harmony relationship.

7. Considering the factual aspects of this matter and since the parties have settled the dispute, the impugned proceedings can be quashed.

ORDER

(i) Criminal Writ Petition No. 1061 of 2024 is allowed;

(ii) The impugned proceedings in Police Case No. PW/550/2016 pending before the learned Metropolitan Magistrate, 1st Court at Andheri, Mumbai arising out of FIR dated 3rd July 2015 registered with Meghwadi Police Station, Mumbai vide C.R. No.185 of 2015 is quashed and set aside.

(iii) Petitioner No.1 to pay costs of Rs.20,000/- petitioner No.2 and 3 to pay cost of Rs.10,000/- each to the Central Police Welfare Fund, Director General of Police, Maharashtra State, Mumbai within a period of three weeks from the date of uploading of this order and submit receipt of the same in the Registry of this Court. The details of the Bank Account for payment of costs are as under:-

Bank Name	:	Axis Bank Ltd.
Branch Name	:	Worli, Mumbai [M.H.], Mumbai- 400 025.
Account Name	:	Central Police Welfare Fund
Account No.	:	914010029005759
IFSC Code	:	UTIB0000060

(iv) Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)