

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4603 OF 2022

Sachin Ramesh Bagul ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

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Mr. Akhilesh Dubey a/w Mr. Sahil Upadhyay i/by Shaikhlal Shaikh,
Advocate for the Petitioner.

Mr. Vaibhav Gaikwad, Advocate for Respondent No.2.

Mr. A.S. Shalgaonkar, APP for the Respondent – State.

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

DATE : 7th MARCH, 2024.

P.C.:

1. The Petitioners are challenging the FIR dated 13.02.2022 registered with Dindori Police Station, Dist. Nashik Rural for offences punishable under Sections 386 r/w Section 34 of Indian Penal Code (for short “IPC”). The First Information Report (for short ‘FIR’) was lodged at the instance of Respondent No.2.

2. It is jointly submitted that the parties have resolved the dispute and amount of Rs.20,00,000/- has been given to the complainant by way of full and final settlement. The complainant has no objection for quashing the FIR.

3. The Complainant/Respondent No.2 is present in the Court. He stated that he has no objection for quashing the impugned FIR. He has filed Affidavit. He has admitted the contents of the affidavit. He is represented by Advocate.

4. The affidavit filed by Respondent No.2 refers to the fact that initially the settlement amount of Rs.5,00,000/- which was received by the complainant. Subsequently the Petitioner has paid amount of Rs.15,00,000/- by way of cheque and thus the complainant had received the amount of Rs.20,00,000/- towards final settlement. He does not have any objection for quashing the FIR. The Affidavit is taken on record.

5. Considering the fact that the matter is settled between the parties and since it is not disputed that except the complainant no other victim is involved in this Proceedings, the impugned FIR can be quashed.

ORDER

- i. Criminal Writ Petition No.4603 of 2022 is allowed and disposed off;
- ii. The FIR dated 13.02.2022 registered with Dindori Police Station, Dist. Nashik Rural vide C.R. No. 59 of 2022 are quashed and set aside;

iii. The Petitioners shall pay cost of Rs.10,000/- each to Advocates Association of Western India Generation Next within a period of two weeks from today. The Account details are as under:

Account Name : Advocates Association of Western India
Generation Next
A/c No. : 000110110007807
Bank Name : Bank of India
Branch Name : Mumbai Main
IFSC Code : BKID0000001

iv. The receipt of payment of cost be produced in the Registry of this Court within one week thereafter.

v. List the Petition for reporting the compliance after four weeks.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)