

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

CRIMINAL WRIT PETITION NO. 735 OF 2024

Tanhaji S. Kashid And Ors.

...Petitioners

Versus

State Of Maharashtra And Anr.

...Respondents

....

Mr. Akshay Deshmukh a/w Mr. Sumit Chaudhary, Advocate for the Petitioners.

Mr. Y.M. Nakhawa, APP for the Respondent – State.

Mr. Ashraf Kapoor, Advocate for Respondent No.2.

Mr. Pravin Patil, Police Naik, Sangvi Police Station.

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

DATE : 21st MARCH, 2024.

P.C.:

1. Leave to amend the title clause of the Petition.

Amendment may be carried out forthwith.

2. The Petitioners are challenging the criminal proceedings pending before the Court of learned JMFC, Pune arising out of First Information Report (for short 'FIR') dated 25th March, 2022 registered with Sangavi Police Station for offence under Sections 452, 504, 506, 427 r/w 34 of Indian Penal Code (for short 'IPC').

3. FIR was registered by Respondent No.2. It was alleged that the Accused entered into the office of company on 23rd March, 2022 and shouted at the staff and abuse them. They also intimidated the staff of the company. The Accused threw stone towards security staff.

4. Learned Advocate for the Petitioners and Respondent No.2 submitted that the pursuant to registration of FIR, both the sides arrived at amicable settlement. The proceedings may be quashed with the consent of complainant.

5. The complainant filed an affidavit. The complainant is represented by Advocate. Consent terms were executed by both the sides.

6. In the consent terms, it is stated that the parties have entered into discussion and negotiation and agreed to amicably settled the dispute and differences. The main dispute between the parties was related to the land situated at Pimple Gurav Pimpri Chinchwad, Pune. It was further stated that the Petitioners and Mr. Kishor Shankar Garve entered into an agreement vide Sale Deed dated 25th September, 2023 and Mr. Garve has purchased the land

of Petitioners for Rs.5,00,00,000/- (Five Crores). The payment of Rs.3,00,00,000/- (Three Crores) is made on 25th September, 2023 and post dated cheque of Rs.2,00,00,000/- (Two Crores) is given to the Petitioners and the same has been cleared. The Petitioners and Respondent No.2 will withdraw all the cases against each other. The affidavit and consent terms are taken on record.

7. In the consent terms filed by first informant, it is stated that he has no objection for quashing the impugned FIR.

8. Since, the parties have resolved their differences and executed the consent terms, the proceedings can be quashed.

ORDER

- i. Criminal Writ Petition No. 735 Of 2024 is allowed;
- ii. Criminal proceedings pending in the Court of learned JMFC arising out of FIR dated 25th March, 2022 registered with Sangavi Police Station vide C.R. No.118 of 2022 is quashed and set aside.
- iii. The Petitioner No.1 shall pay cost of Rs.10,000/- to Kirtikar Law Library within a period of three weeks from today. The Account details are as under:

Kirtikar Law Library

Account Number : 000110110012632

Bank Name : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

iv. Petition stands disposed off.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)