

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4232 OF 2023

Tausif Salim Siddiqui and Anr. ... Petitioners

Versus

The State of Maharashtra and another ... Respondents

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Ms. Sadhna Singh for Petitioners.

Mr. Y.M. Nakhawa, APP for State.

Ms. Asma Khan i/b. Sayyed Akhtar S. for Respondent No.2

Mr. Vinay Lakshman Pawar, Complainant/ Respondent No.2 present

ASI Nitin D. Sawant, Bangur Nagar Police Station present.

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

DATED : 29th FEBRUARY 2024

P.C. :-

1. Leave to amend the prayer clause of the Petition. Amendment to be carried out forthwith.
2. This Petition is for quashing the proceedings by consent of the Complainant.
3. The First Information Report was registered on 14th August, 2019 vide C.R. No. 282 of 2019 registered with Bangur Nagar Police Station, Mumbai for offences under Sections 324, 323, 504 r/w. 34 of IPC. The FIR registered against the unknown persons. It is alleged that on 13th August, 2019, there were quarrels between the Complainant and the Opponents, who are driving that vehicle. The Complainant was abused and assaulted. On completing the investigation, charge-sheet is filed.

4. The parties have resolved the dispute. The Respondent No.2 has no objection for quashing the charge-sheet against the Petitioners.
5. The learned Advocate for the Petitioner submitted that, the dispute had arisen on account of petty quarrel and no weapon is used in commission of crime. The two other accused had not approached this Court for quashing the proceedings. Considering the nature of offence and since the parties have resolved the dispute, the FIR may be quashed.
6. Learned Advocate for Respondent No.2 submitted that the Complainant has no objection for allowing this Application. The complainant is present in the Court.
7. Learned APP submitted that the charge-sheet was filed against the four persons who are appearing in the Court.
8. The Complainant has filed Affidavit consenting for quashing the impugned proceedings. The Complainant has expressed no objection for quashing charge-sheet. The Affidavit is taken on record.
9. Considering the nature of offence and since the parties have resolved the differences with the consent of the Complainant, there is no impediment in allowing the reliefs sought in the Petition.

ORDER

- (i) Writ Petition No. 4232 of 2023 is allowed.
- (ii) Proceedings in CC No. 680311/PW/2019 pending before the Court of Metropolitan Magistrate, 68th Court, Borivali arising out of First Information Report dated 14th August, 2019 registered with Bangur Nagar Police Station being CR No. 282 of 2019 are quashed and set aside.
- (iii) The Petitioner shall pay an amount of costs of Rs. 10,000/- to the Kirtikar Law Library, 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 are as under.

Saving Bank Account No. :	000110110012632
Bank :	Bank of India
Branch :	Mumbai Main Branch
IFSC Code :	BKID0000001
MICR Code :	400013087

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)