

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.854 OF 2024**

Govind Parekh & anr.

...Petitioners

Versus

The Senior Inspector of Police
(EOW) & Ors.

...Respondents

Mr.Taraq Sayyed a/w. Vinita Dandekar and Prathamesh Bhosale
i/b Mr. Swapnil Wagh for the Petitioners.

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

Mr. Naresh Chheda i/b Dhruve Liladhar & Co. for Respondent
No.2.

PI Siddhawa Jaybhaye, EOW, Mumbai is present.

**CORAM : PRAKASH D. NAIK &
N. R. BORKAR, JJ.
DATE : 21.03.2024.**

PC:-

1. The petitioners are challenging the FIR registered with Borivali police station vide C.R. No.3 of 2023 for the offences under Sections 406, 409, 420, 422, 424, 120-B read with 34 of the IPC.

2. Learned APP, on previous date of hearing, i.e. on 15.3.2024 had submitted that there are other aggrieved persons other than the complainant/respondent.

3. Learned Advocate for the petitioner and learned Advocate for respondent No.2 submit that the compromise deed was executed with all the aggrieved persons. The complainant/respondent No.2 is present in the court. He is filing affidavit of consent. Apart from the complainant, one of

the aggrieved person Mr. Suryanarayan Sharma is present in the Court and he is filing affidavit of consent. He has no objection for quashing the FIR. Affidavits filed by the complainant/respondent No.2 and Mr. Suryanarayan Sharma are taken on record.

4. At the request of learned Advocate for the respondent No.2, appearance of respondent No.2/complainant and the aggrieved person Mr. Suryanarayan Sharma is dispensed with on the next date of hearing.

5. Learned APP submitted that two other aggrieved persons, who are summoned by the police during investigation, have telephonically stated that they are compromising the dispute with the respondent No.2/complainant. However, they have not come forward to support the relief sought in the petition.

6. Two other aggrieved persons viz. Kokil Doshi and Bindeshwari Prasad Mishra be impleaded as respondents in the petition. Amendment be carried out forthwith.

7. Issue notice to the added respondents, returnable on 18.4.2024. In addition to court notice, private notice is permitted.

8. In the meanwhile, no coercive action shall be initiated against the petitioners in respect of the impugned FIR and charge-sheet shall not be filed against him.

(N.R. BORKAR, J.)

(PRAKASH D. NAIK, J.)