

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO.1783 OF 2024**

Dhiraj Ramkrishna Kothawale

.....Petitioner

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Satyendra Muley with Ms. Dhanashree Patil, for the Petitioner.

Mr. V. N. Sagare, APP, for Respondent No.1-State.

Ms. Palak Joshi with Ms. Amruta Kulkarni and Mr. Pranav Dhakne, for Respondent No.2.

Mrs. Reena Deshmukh Respondent No.2 present.

PSI Angat Nemane attached to Chaturshrungi Police Station, Pune City present.

**CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.****DATE : 13th JUNE, 2024.****P.C.:-**

1) Petitioner has invoked jurisdiction of this Court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure (Cr.PC.), for quashing of the C.R.No.0147 of 2024 registered with Chaturshrungi Police Station, Pune City dated 3rd February 2024 under Sections 354, 323, 504 and 506 of the Indian Penal Code (IPC) with consent of the Respondent No.2, the Victim.

2) Learned Advocate for the Petitioner submitted that, the crime in question was registered basically out of grudge by the Respondent No.2 and now the Petitioner and the Respondent No.2 have settled their disputes and differences amicably. That the Respondent No.2 has filed an Affidavit

dated 19th April 2024 giving her consent for quashing of the said crime. He, therefore, prayed that the said crime be quashed with the consent of the Respondent No.2.

3) Learned Advocate for the Respondent No.2 conceded the fact of filing of Affidavit dated 19th April 2024 by the Respondent No.2. In the said affidavit, the Respondent No.2 has given her 'no objection' for quashing of the said crime.

3.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 19th April 2024 and her 'no objection' for quashing of the crime in question.

4) In view thereof, we are inclined to quash CR No.0147 of 2024, dated 3rd February 2024, registered with Chaturshringi Police Station, Pune City.

5) As we expressed our opinion for quashing of the said CR No.0147 of 2024, dated 3rd February 2024, registered with Chaturshringi Police Station, Pune City, learned advocate for Petitioners, on instructions submitted that, the Petitioner will pay a cost of Rs.25,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court. The said statement is accepted as an undertaking given to this Court.

6) We therefore direct the Petitioners to pay a cost of Rs.25,000/- to the Advocates' Association of Western India Generation Next Fund, Mumbai,

within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

6.1) Details of the bank account for payment of cost are as under :-

Account Name :- Advocates Association of Western India Generation Next.

Account Number :- 000110110007807.

Bank Name :- Bank of India.

Branch Name :- Mumbai Main.

IFSC Code :- BKID0000001.

6.2) Petitioners to deposit the said cost within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

7) In view of above and subject to payment of cost, Petition is allowed in terms of prayer clause (b).

8) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition shall stand revived automatically and in that event, the Investigating Officer will complete the investigation of the present crime expeditiously.

9) List the Petition on board on 18th July 2024, under caption 'for reporting compliance' of present Order.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)