

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 3658 OF 2024**

1. Sandeep Ranganath Gaikwad
Age: 36 years Occu: Agriculture
R/at: Ranmala Vasti, Koyali,
Alandi, Tal Khed, Dist Pune
2. Rangnath Kisan Gaikwad
Age: 68 years Occu: Agriculture
R/at: Ranmala Vasti, Koyali,
Alandi, Tal Khed, Dist Pune
3. Dattatray Rangnath Gaikwad
Age: 40 years Occu: Agriculture
R/at: Ranmala Vasti, Koyali,
Alandi, Tal Khed, Dist Pune

.....Petitioners

Vs.

1. State Of Maharashtra
Through Alandi Police Station
Pimpri Chinchwad, Pune
2. Kalpana Balu Gaikwad
Age: 33 years Occu: Agriculture
R/at: Ranmala Vasti, Koyali,
Alandi, Tal Khed, Dist Pune

.....Respondents

Mr. Namit Pansare, for the Petitioners.

Smt. Madhavi H. Mhatre, APP, for Respondent No.1-State.

Mr. Prasad Avhad, for Respondent No.2.

PSI Mr. Tukaram D. Khadke, Alandi Police Station present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.**
DATE : 27th AUGUST, 2024.

PC:-

1) The Petitioners seek quashing of C.R. 195 of 2024 dated 30th June 2024 registered with Alandi Police Station, Pimpri-Chinchwad for offences punishable under Sections 354, 323, 504, 506 read with 34 of the Indian Penal Code, 1860 ('IPC').

2) The Petitioner No.1 is the brother-in-law of the Respondent No.2. It is alleged by the Respondent No.2 that on 29th June 2024, the Petitioner No.1 put his hand on her shoulder and tried to take her aside. She was offended and called her husband. Thereafter, other cousins of the Petitioner No.1 i.e. the other Petitioners and the Respondent No.2 came at the scene and there was some scuffle between the parties. This led to the filing of the subject FIR.

3) Mr. Namit Pansare learned Counsel appears for the Petitioners and Mr. Prasad Avhad learned Counsel appears for the Respondent No.2. Ms. M.H.Mhatre, learned APP represents the State.

4) The parties are inclined to settle the dispute amicably. The Respondent No.2 has filed an Affidavit dated 26th August 2024 duly affirmed before a Notary Public. In paragraph number 3 of the Affidavit, she has given her no objection to quash the subject FIR. She says that the Petitioners are her close relatives and by intervention of their family members they have decided to bury the hatchet.

5) The Respondent No.2 is present before the Court and through her counsel reiterates the statements made in the Affidavit. We accept the

said statements.

6) In view thereof, we are inclined to quash C.R. 195 of 2024 dated 30th June 2024 registered with Alandi Police Station, Pimpri-Chinchwad for offences punishable under Sections 354, 323, 504, 506 read with 34 of the IPC.

7) As we expressed our opinion for quashing of C.R. 195 of 2024 dated 30th June 2024 registered with Alandi Police Station, Pimpri-Chinchwad, learned Counsel for the Petitioners on instructions submitted that, the Petitioners will pay a cost of Rs.10,000/- each totalling to Rs.30,000/- jointly or severally to the Armed Forces Battle Casualties Welfare Fund within a period of two weeks from the date of uploading of the present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking to the Court.

8) In view thereof, we direct Petitioners to pay the cost as noted herein above to the Armed Forces Battle Casualties Welfare Fund within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay.

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

Name of Fund :- Armed Forces Battle Casualties Welfare Fund.

Bank Name :- Canara Bank

Branch Name :- South Block, Defence Headquarters,
New Delhi-110011.

Account Number :- 90552010165915

IFSC Code :- CNRB0019055

Type of Acct :- Saving

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

10) In view of above and subject to payment of costs, Petition is allowed in terms of prayer clause (a).

11) It is made clear that, if the said costs are not paid within stipulated period by either of the parties as mentioned above, the Petition shall stand revived automatically and in that event, the Investigating Agency will complete the investigation of present crime expeditiously.

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

(DR. NEELA GOKHALE, J.)

(A. S. GADKARI, J.)

Digitally
signed by
SHAMBHAVI
NILESH
SHIVGAN
Date:
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