

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

CRIMINAL WRIT PETITION NO.4375 OF 2024

Rugved Umesh Dichwalkar	Petitioner
Versus	
The State of Maharashtra	
and another	Respondent

Ms. Snehal Chaudhari, Advocate i/b. Maharashtra Law Associates for the Petitioner.

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

Ms. Nitan D. Mayekar, Advocate i/b. Pranot P. Pawar for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.**

DATE : 09th OCTOBER, 2024

P.C. :

1. The Petitioner has preferred this Petition for quashing of the FIR registered vide C.R. No.543/2024 at Malad Police Station, Mumbai under Sections 324, 323 and 504 of IPC on 28.6.2024.

2. The allegations in the FIR lodged by the Respondent No.2 herein are that on 27.6.2024 the informant

wanted to go home from some function. At about 10.45 p.m. they saw an empty rickshaw. The informant and his friend sat in the rickshaw. Within a short time, the rickshaw driver came there. The informant requested him to take them to their destination. He refused. In the meantime, one unknown person came there and took part in the quarrel. He started abusing. That unknown person gave a blow on the informant's head. Because of the iron ring in his hand, the informant suffered bleeding injury on his head. The others intervened and separated the quarrel. The informant was taken for medical treatment. After that, the FIR was lodged. According to the investigating agency, the Applicant has caused this injury.

3. Learned APP produced the injury certificate which shows that the informant has suffered a simple injury on his head of the size 3.5 x .5 x .5 cm.

4. Now the matter is settled between the parties. The informant has filed an affidavit specifically giving no objection for quashing of the FIR as the matter is settled between the parties.

5. Considering the minor nature of the incident, the simple injury suffered by the informant and also taking into account the settlement between the parties which is reflected in the affidavit filed by the Respondent No.2, we are inclined to allow this Petition.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.543/2024 at Malad Police Station, Mumbai under Sections 324, 323 and 506 of IPC and the consequent proceedings arising out of that FIR, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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by
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PRAKASHRAO
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