

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION (APL) NO. 931 OF 2024**

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| 1. | Pravin Viram Satra |] |
| 2. | Darshan Pravin Satra |] |
| 3. | Nikhil D. Samani |] |
| 4. | Veerang K. Karia |] |
| 5. | Farana Mehboob Shaikh |] |
| | a.k.a. Zulekha Ibadulla Qureshi |] |
| 6. | Sana Sayyed Ali Shaikh |] |
| | a.k.a. Sana Sayyed Ali Shaikh |] |
| 7. | Aashma Jiya Khan |] |
| | a.k.a. Shama Parveen Ziya Mohammad Khan |] |
| 8. | Praveen Ashiq Ali Idrise |] |
| | a.k.a. Parveen Ashikali Idrisi |] |
| 9. | Kavita Mahesh Ghanvat |] |
| 10. | Zubeda Shaikh |] |
| | a.k.a. Zohrabi Rahim Shaikh |] |
| 11. | Nargis Ashma Shaikh |] |
| | a.k.a. Nasreen Javeed Shaikh |] |
| 12. | Chaaya Pravin Shukla |] |
| 13. | Hazira Shaikh |] |
| | a.k.a. Shanaz Imtiyaz Shaikh |] |
| 14. | Seemadevi Rakesh Kori |] |
| | a.k.a. Jala Devi |] |
| 15. | Fatima Zuber Shaikh |] |
| | a.k.a. Naziya Mohd Rafiq Sayed |] |
| 16. | Aadisha Shahrukh Khan |] |

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| | a.k.a. Salma Aslam Ali |] | |
| 17. | Reshma Shaikh |] | |
| | a.k.a. Reshma Nisar Khan |] | |
| 18. | Dilsad Islam Ansari |] | |
| | a.k.a. Dilshad Islam Ansari |] | ... Applicants |
| V/s. | | | |
| 1. | The State of Maharashtra |] | |
| | (Through Andheri Police Station) |] | |
| 2. | Sharad Sopan Yetam |] | ... Respondents |

Mr. Ashok Mishra a/w. Mr. Jilesh Sanghavi i/b. Solicis Lex for Applicants.

Mr. Anand S. Shalgaonkar, A.P.P for Respondent No.1-State.

Mr. Viral Bhanushali for Respondent No.2.

PI. Mr. Narendra Dambale, Andheri Police Station, Mumbai, present.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.**

DATE : 6th August 2024.

PC. :

- 1) Leave to amend to incorporate challenge to CC No. 1850/PW/2024 pending on the file of Metropolitan Magistrate, 22nd Court, Andheri, Mumbai in the pleadings and prayer clauses is granted.
- 2) Amendment be carried out forthwith and in any event, during the course of the day.
- 3) Applicants, accused in CC No. 1850/PW/2024 pending on the file of Metropolitan Magistrate, 22nd Court, Andheri, Mumbai, arising out CR No. 0623 of 2023, dated 7th December 2023, registered with Andheri Police

Station, Mumbai, under Sections 143, 147, 149, 150, 448, 452, 427, 504, 506 & 120-B of the Indian Penal Code, have filed this Application under Section 482 of Cr.PC. for quashing of the said case with the consent of Respondent No.2, the informant.

4) Mr. Mishra, learned Advocate for Applicants submitted that, Applicant No.3 and Respondent No.2 have executed Consent Terms dated 19th January 2024 in S.C. Suit No. 1326 of 2023 before the City Civil Court at Dindoshi, Mumbai. That, in para No. 18 thereof, the Respondent No.2 has agreed to give his unconditional and unqualified 'no objection' for quashing of the present crime. That, in view of the said Consent Terms, present Application is filed for quashing of the said case with the consent of Respondent No.2.

5) Mr. Bhanushali, learned Advocate for Respondent No.2 submitted that, he has already filed an Affidavit of Respondent No.2 dated 3rd June 2024 duly affirmed before a Notary Public, on record. The Respondent No.2, therein has admitted the fact of execution of Consent Terms before the City Civil Court at Dindoshi, Mumbai. The Respondent No.2 has also given his consent for quashing of the crime in question.

5.1) Though, Respondent No.2 is not personally present in the Court, learned Advocate for Respondent No.2 submitted that, the Respondent No.2 has given him instructions to admit the contents of his Affidavit dated 3rd July 2024 and to give his 'no objection' for quashing of the crime in question.

6) In view thereof, we are inclined to quash the said CC No. 1850/PW/2024 pending on the file of Metropolitan Magistrate, 22nd Court, Andheri, Mumbai.

7) As we expressed our opinion for quashing of said CC No. 1850/PW/2024 pending on the file of Metropolitan Magistrate, 22nd Court, Andheri, Mumbai, learned Advocate for Applicants on instructions submitted that, the Applicant Nos.1 to 4 on behalf of all other Applicants will pay a cost of Rs.2,00,000/-, jointly or severally, to the Central Police Welfare Fund, of Maharashtra State within a period of two weeks from the date of uploading of the present Order on the official website of High Court of Bombay. He submitted that, the Applicant Nos.5 to 18 are the labourers of Applicant Nos.1 to 4 and the Applicant Nos.1 to 4 accept their liability to pay the said cost on their behalf. The said statement is accepted as an undertaking given to this Court.

8) We therefore direct the Applicant Nos.1 to 4 to pay a cost of Rs.2,00,000/-, jointly or severally, to the Central Police 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) The details of bank Account for payment of cost are as under:-

Bank Name	:-	Axis Bank Limited.
Branch Name	:-	Worli, Mumbai (M.H.), Mumbai-400 025
Account Name	:-	Central Police Welfare Fund

Account Number :- 914010029005759

IFSC Code :- UTIB0000060

8.2) Applicant Nos.1 to 4 to deposit the said cost of Rs.2,00,000/- within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

9) In view of above and subject to payment of cost, Application is allowed in terms of prayer clause (c) and amended prayer clause (c-1).

10) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Application shall stand revived automatically and in that event, the trial Court will proceed with the said case expeditiously.

11) List the Application on board on 30th August 2024, under caption 'for reporting compliance' of present Order.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

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by OMKAR
SHIVAHAR
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