

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. NO. 961 OF 2024

Laxmikant Shankar Thorat And Anr ...Petitioners
Versus
State Of Maharashtra And Anr ...Respondents

**WITH
CRIMINAL WRIT PETITION (ST) NO. 4684 OF 2024**

Umakant Yashwant Dhaigode and Ors. ...Petitioners
Versus
The State of Maharashtra and and. ...Respondents

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Mr. Vignesh Ashokan i/by Mr.Barsha Basantkumar Richhariya, Advocate
for the Petitioners in WP/961/2024 and Respondent No.2 in
WPst/4684/2024.

Mr.Viresh V. Purwant a/w Mr.Suraj V. Gadkari Advocate for Petitioner in
Wpst/4684/2024 and Respondent No.2 in WP/961/2024.

Mrs. M. M. Deshmukh, APP for Respondent-State in both matters.

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

DATE : 19th APRIL 2024

P.C.:-

1. The petitioners are challenging the cross First Information Report
registered against each other with Valsang Police Station, Solapur (Rural)
on the ground that, there is amicable settlement between them.

2. Criminal Writ Petition No. 961 of 2024 pertains to the FIR dated 23rd December 2023 registered with Valsang Police Station, Solapur (Rural) vide C.R. No. 542 of 2023 for offences punishable under Sections 143, 147, 148, 149, 323, 324, 504, 506 of the Indian Penal Code, 1860.

3. The grievance of the complainant is that, on 23rd December 2023 the accused questioned the complainant and his brother about the previous incident and assaulted the complainant with wire hunter and brother of the complainant with fist and kick blows. The other accused also came to the spot and abused and threatened the complainant and his brother.

4. The complainant has filed affidavit stating that, both the families have settled the dispute amicably with a view to maintain cordial relation between two families and also to maintain peace and happiness in the families. The complainant has no objection if the FIR No. 542 of 2023 registered with Valsang Police Station against petitioners therein is quashed.

5. The complainant was present in the Court on the previous date of hearing. The complainant is represented and identified by Advocate. The complainant has filed affidavit. It is taken on record.

6. Criminal Writ Petition (ST) No.4684 of 2024 is filed by petitioners challenging the FIR dated 23rd December 2023 registered with Valsang Police Station, District Solapur (Rural) vide C.R. No.543 of 2023 for

offences under Sections 323, 324, 327, 504, 506 read with 34 of the Indian Penal Code, 1860.

7. The FIR was registered at the instance of respondent No.2/complainant. The grievance of the complainant is that, on 23rd December 2023 the accused therein had abused the complainant and his mother. The other accused assaulted with iron rod and one of them took away the finger ring of complainant.

8. Parties have settled the dispute. The complainant has filed affidavit. The injured witness Neeta Shankar Thorat has filed affidavit of no objection for quashing FIR.

9. The complainant was present in the Court on the previous date of hearing. The complainant is represented by Advocate. The affidavit of the complainant is taken on record.

10. It is apparent that, both the incidents had occurred on the same day. Both sides have lodged complaints against each other resulting in registration of FIRs. The injuries suffered by witness are not of serious nature. Two families are involved in the incident. Parties have amicably settled the dispute. Parties want to maintain peace and harmony.

11. Considering the fact that, there is settlement between the parties with consent of complainant and injured person, the impugned FIR's can be quashed.

ORDER

- (i) Criminal Writ Petition No.961 of 2024 is allowed and disposed off;
- (ii) The impugned FIR dated 23rd December 2023 registered with Valsang Police Station, Solapur (Rural) vide C.R. No. 542 of 2023 is quashed and set aside.
- (iii) Criminal Writ Petition (st) No. 4684 Of 2024 is allowed;
- (iv) The impugned FIR dated 23rd December 2023 registered with Valsang Police Station, District Solapur (Rural) vide C.R. No.543 of 2023 is quashed and set aside.
- (v) The petitioners in both the petitions shall pay the cost of Rs.20,000/- each to Advocates' Association of Western India Generation Next within a period of three weeks from today. The details of the Bank Account for payment of costs 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

- (vi) The receipt of payment of cost be produced in the Registry of this Court within one week thereafter.
- (vii) List the Petitions for reporting the compliance after five weeks.

(N. R. BORKAR, J.)**(PRAKASH D. NAIK, J.)**