

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

Writ Petition No.592 of 2024

Rajesh Bheklal Thakur and others	...	Petitioners
V/s.		
State of Maharashtra and others	...	Respondents.

Mr. Brijesh Shukla a/w. Ravi Patwa, Advocate for the Petitioners.

Smt. M.M. Deshmukh, APP for the State.

Mr. Yogesh Rawool i/b. Jasbir Joshi for Respondent Nos.3 to 7.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 03rd March 2025.

P.C. :

This is a writ petition for quashing of the FIR registered vide C.R. No.60/2020 at Vasai Police Station under Sections 326,323,141,143,147,148,149 of Indian Penal Code and consequent charge-sheet arising out of the same.

2. Heard Mr. Shukla, the learned counsel appearing for the Petitioners, Smt. Deshmukh, the learned APP for the State and Mr. Yogesh Rawool for Respondent Nos.3 to 7.

3. The FIR is lodged by Respondent No.3-Jogindar Gupta. FIR refers to the matrimonial dispute between Supriya and Suresh. Out of that matrimonial dispute, the incident occurred on 24th February

2020. The family members of Supriya came to the house of informant Jogindar Gupta. There was quarrel between them. It is alleged that informants' group was assaulted by the Petitioners' group by steel rod, fighter and leather belt. On these allegations the FIR is lodged.

3. The parties have now settled the dispute. There was a counter FIR which is also quashed by consent. The couple Suresh and Supriya have filed proceedings for divorce. The charge-sheet contains the injury certificate of five injured.

4. Meena Gupta had suffered contusion on right hand and abrasion on right hand. Prashant Gupta had abrasion on the back and shoulder, chest and hand. Jogindar Gupta had abrasion on right knee, back of the shoulder, contusion on abdomen, head and back. Lalit Gupta had contusion on back of shoulder, neck and abdomen. Supriya had a slap mark on face and contusion on forearm. None of the injuries was grievous though Section 326 of IPC was applied. All the five injured have filed their affidavits giving consent. The matrimonial dispute between Supriya and Suresh had resulted in filing these proceedings. The parties have amicably settled the matter. All the five injured are present before the Court including the first informant. All of them are identified by their learned counsel. All of them have stated before the Court that they have no objection for quashing the proceedings. They have separately stated before the Court that none of them had suffered any serious injuries. The

injuries were in the nature of contusions and abrasions. They want to live peacefully in the area.

5. The matrimonial dispute between Supriya and Suresh is already settled and they have decided to file divorce proceedings.

6. Considering the situation, it is quite clear that it was a dispute between two families resulting in a minor fight in which both the parties had caused minor injuries to each other. Now the matter is settled between the parties. Therefore, the continuation of the criminal prosecution will not serve any purpose. The counter case is already quashed and set aside. Therefore, it would be in the interest of all the family members of both the families that the proceedings are quashed and set aside. Hence, the following order:-

ORDER

- (i) The Writ Petition is allowed.
- (ii) The FIR vide C.R. No.60 of 2020 registered with Vasai Police Station under Sections 326,323,141,143,147,148,149 of Indian Penal Code and the consequent charge-sheet arising out of the same are quashed and set aside.

7. The Writ Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J)