

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3841 OF 2024**

Aman Balwant Patel & Ors.

... Petitioners

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Aditya R. Parmar a/w Adv. Meenaz Mozawala i/b Hulyalkar & Associates
for Petitioners.

Mr. Ajay S. Patil, A.P.P. for Respondent No.1-State.

Mr. Rohit Shetty for Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 22nd July 2025.

P.C. :

1) Present Petition is filed for quashing of R.C.C. No. 508 of 2024, pending on the file of learned Judicial Magistrate First Class, Vadgaon, Maval, Pune, arising out of C.R. No. 121 of 2024, dated 11th April 2024, registered with Lonavala (Rural) Police Station, Pune, by five accused persons out of total 15 accused persons.

2) This Court in the case of *Sunita Pankaj Shah Vs. State of Maharashtra*, reported in 2024 ALL MR (Cri) 2945, in para No.11 has held as under:

“11) According to us F.I.R. or charge-sheet cannot be quashed in part qua a few or selected accused even with the consent of

the victim/informant. An accused having financial and/or muscle power may cause/pressurise the victim/informant for amicable settlement, leaving the co-accused to face trial, who is/are lacking the said factors. Therefore, the F.I.R. in part even with consent of victim cannot be quashed. The F.I.R. can be quashed in entirety against all accused with consent of victim. It can be quashed in part, only on merits and not otherwise.”

- 3) In view of the above, we are of the considered opinion that, present Petition is thoroughly misconceived and is dismissed *in limine*.
- 4) We however reserve the statutory remedy in favour of the Petitioners to file an Application for discharge before the trial Court, if so advised.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)