

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

CRIMINAL WRIT PETITION NO.4447 OF 2024

Bharat Kishor Parmar
and others

.....Petitioners

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Nitesh J. Mohite, Advocate for the Petitioners.

Mr. S.R. Agarkar, APP for the Respondent No.1-State.

Mr. Shivram A. Gawade, Advocate for the Respondent No.2.

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

DATE : 28th MARCH, 2025

P.C. :

1. This is a Petition for quashing of C.R. No.262/2023 registered at Bhoiwada police station, Mumbai and the consequent proceedings being PW Case No.198/2024 pending before the Additional Chief J.M.F.C., Dadar for the offences punishable under Sections 324, 323, 504, 506 read with 34 of IPC and under Section 24 of the Maintenance And Welfare Of Parents And Senior Citizens Act, 2007.

2. Heard Mr. Nitesh Mohite, learned counsel for the

Petitioners, Mr. S.R. Agarkar, learned APP for the Respondent No.1-State and Mr. Shivram Gawade, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2. The Petitioner Nos.1 & 2 are his sons. The Petitioner No.3 is the wife of the Petitioner No.1. The other Petitioners are relatives of the Petitioner No.3.

4. The FIR dated 1.7.2023 refers to the incident dated 18.6.2023. According to the first informant, the Petitioner No.1 and the Petitioner No.3 were not having good relations with the informant, who was residing with his very old mother and sister. To find a solution, they had arranged a meeting on 18.6.2023 at about 8.00 p.m. During the meeting, a quarrel started and it resulted in all the accused beating the informant's old mother. On these allegations, the FIR is lodged.

5. The medical certificate shows that the informant's mother had suffered three minor abrasions. She was of advanced age of more than 92 years. The investigation

culminated in the charge-sheet. It contains statements of the mother and brother of the informant and others. The main allegations are reproduced in the FIR itself.

6. Now the parties have settled the matter. They are closely related. The Respondent No.2 is father of the Petitioner No.1. They have decided to settle all the issues. The Respondent No.2 has filed his affidavit giving specific consent for quashing of the proceedings. He has stated in his affidavit that he has filed the complaint in the heat of anger. All the Petitioners were his close relatives and family members.

7. Considering their future and to have cordial relations with the parties, he did not want to continue with the criminal prosecution. He has given his specific consent for quashing of the criminal proceedings.

8. The Respondent No.2 is present in the Court. He is identified by his learned counsel. He has stated before the Court that he is now staying with the Petitioner No.1 and his family. Even his mother is staying with him. There is no dispute

between the parties. They are living peacefully.

9. Considering the close relationship between the parties and since they have settled the issues and have decided to stay together peacefully, we are inclined to allow this Petition. No purpose would be served in keeping the criminal prosecution alive.

10. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.262/2023 registered at Bhoiwada police station, Mumbai as well as the consequent proceedings being PW Case No.198/2024 pending before the Additional Chief J.M.F.C., Dadar, are quashed and set aside.
- ii. The Petition is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)