

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 5016 OF 2024**

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|-------------|-------------------------------|---|-----------------|
| 1. | Adbul Jalil Shaikh |] | |
| 2. | Amim Mehboob Shaikh |] | ... Petitioners |
| V/s. | | | |
| 1. | The State of Maharashtra |] | |
| 2. | XYZ (Original Complainant) |] | |
| 3. | Nazim Shaikh Mukhtar (Victim) |] | ... Respondents |

Mr. Satyavrat Joshi a/w. Ms. Shivani S. Kondekar for Petitioners.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Ms. Pravada Raut for Respondent Nos.2 & 3.

Officer : P.S.I. Mr. Savankumar Waghmare, Dehu Road Police Station, Pimpri-Chichwad, present.

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

DATE : 30th July 2025.

P.C. :

1) By this Petition the Petitioners, accused in CR No. 0171 of 2023, dated 6th March 2023, registered with Dehu Road Police Station, Pimpri-Chichwad Police Commissionerate, Pune, under Sections 354, 323, 504, 506 read with 34 of Indian Penal Code (I.P.C.) are seeking quashing of the said crime, with the consent of Respondent Nos.2 & 3.

2) Respondent No.2 is the informant under Section 354 of I.P.C. and the Respondent No.3 is the injured victim in the present crime.

3) At the outset, Mr. Joshi, learned Advocate appearing for Petitioners on instructions submitted that, the Petitioners and Respondent Nos.2 & 3 have settled their disputes and differences amicably and the Respondent Nos.2 & 3 are now giving their consent for quashing of the crime in question. He therefore prayed that, the said crime may be quashed with the consent of Respondent Nos.2 & 3.

4) Advocate Ms. Raut submitted that, the Respondent Nos.2 & 3 have already filed on record their respective Affidavits dated 10th December 2024, duly affirmed before the Assistant Registrar of this Court. In the said Affidavits, the said Respondents have admitted the fact of amicably resolving the disputes between the parties herein. It is further stated that, the said Respondents and Petitioners have buried their disputes and therefore the crime in question may be quashed. The said Respondents have also given their no objection for quashing of the crime in-question.

4.1) Respondent Nos.2 & 3 are personally present in the Court and through their Advocate admits the contents of their respective Affidavits dated 10th December 2024 and gives their 'no objection' for quashing of the crime in-question.

5) In view thereof, we are inclined to quash CR No. 0171 of 2023, dated 6th March 2023, registered with Dehu Road Police Station, Pimpri-

Chichwad Police Commissionerate, Pune, under Sections 354, 323, 504, 506 read with 34 of I.P.C..

6) As we expressed our opinion for quashing of CR No. 0171 of 2023, dated 6th March 2023, registered with Dehu Road Police Station, Mr. Joshi, learned Advocate for Petitioners on instructions submitted that, for quashing of the crime in-question, the Petitioner No.1 will voluntarily pay a cost of Rs. 25,000/- and the Petitioner No.2 will also voluntarily pay a cost of Rs. 50,000/- to the Armed Forces Battle Casualties 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. The said statement is accepted as an undertaking given to this Court.

7) We therefore direct the Petitioner Nos.1 & 2 to pay a cost of Rs.25,000/- & Rs.50,000/- respectively to the Armed Forces Battle Casualties 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.

7.1) Details of the bank account for payment of cost are as under :-

Account Name	:-	Armed Forces Battle Casualties Welfare Fund.
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank.
Branch	:-	South Block, Defence Headquarters, New Delhi – 110 011.
IFSC Code	:-	CNRB0019055.

7.2) Petitioner Nos.1 & 2 to deposit the aforementioned cost within stipulated period as noted above and submit receipt(s) of the same in the Registry of this Court.

8) In view of the above and subject to payment of cost by both the Petitioners, Petition is allowed in terms of prayer clause (a).

9) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition shall stand revived automatically and in that event, the Investigating Officer will complete the investigation of the crime expeditiously.

10) List the Petition on board on 2nd September 2025, under caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)

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