



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

WRIT PETITION NO. 5107 OF 2024

Dhruvesh Ramesh Narayane ..Petitioner

vs.

The State of Maharashtra & anr. ..Respondents

Adv. Vijay Kurle a/w. Adv. Bhagyasha K., Adv. Priyal Gupta for the
Petitioner.

Mr. J. P. Yagnik, APP for State.

Adv. Ashish Phalke for Respondent No.2.

**CORAM : RAVINDRA V. GHUGE &
RAJESH S. PATIL, JJ.**

DATE : 13th JANUARY 2025.

P.C. :-

1. The Petitioner is a 23 years aged student whose pet, a German Shepherd (alternatively known as an Alsatian), is said to have bitten the Complainant when she went to the second floor of the residence of the Petitioner's parents. There are contradictory statements before us to indicate that the Complainant was supposed to use the washroom available in the basement, since she was occupying one shop in the basement for operating a beauty parlour on rental basis.

2. The controversy is that the Complainant could have

used the washroom on the first floor. Instead, she is said to have travelled to the second floor and used the washroom. While exiting, the pet of the Petitioner whose name is 'Tiger', is said to have bitten the Complainant. This has led to the registering of the First Information Report (FIR) after 6 months of the incident.

3. After much deliberations, the parties have come together to settle the dispute and bury the hatchet on the following terms :

(a) Tomorrow, on 14th January 2025, the Complainant would visit the premises of the Petitioner at 4.00 p.m.

(b) A Policeman from the Borivali Police Station, which has registered the FIR No.473 of 2024, dated 25th June, 2024, would remain present in the premises of the Petitioner.

(c) Out of Rs.50,000/- deposit, an amount of Rs.30,000/- would be adjusted towards the arrears of rent.

(d) Rs.20,000/- would be returned to the Complainant in the presence of the Police Officer.

(e) The Petitioner's parents instruct the learned Advocate to state that an amount of Rs.25,000/-, as

suggested by the Court, would be paid to the Complainant for the wounds that she has suffered and for medication for which she has incurred an expenditure. This amount would also be paid in the present of the Police Officer.

(f) The room in the basement which was earlier used for the purpose of operating a beauty parlour by the Complainant, which is now vacated, would be opened to enable her to take her belongings, if any, said to be lying in the said room.

(g) The Complainant shall not occupy the said room, after the above exercise is completed.

(h) The concerned Police Officer would make an inventory of the belongings that the Complainant would carry away. He would also record the payment of the total amount of Rs.45,000/- by the Petitioner's father to the Complainant. The signatures of the Complainant as well as the Petitioner's father would be obtained on the said document.

4. After compliance of the above, the FIR No.473 of 2024 shall stand quashed and consequentially, the pending case

C.C.No.9517/PS/2024, before the learned Judicial Magistrate First Class, 26th Court at Borivali, would be disposed off.

5. With the above arrangement, all disputes between the Complainant and the Petitioner/Petitioner's parents, stand settled and the complaint tendered by the Petitioner's mother with the Borivali Police Station, would be treated as withdrawn.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)