



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 5562 OF 2024

ABHISHEK RAJENDRA SINGH & ORS. ..PETITIONERS
VS.
THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Mr. Karan Bansode, Advocate for the Petitioners.
Ms. R. A. Ambekar, APP for Respondent No.1 – State.
Mr. Sagar Tambe, Advocate for Respondent No.2.

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

DATE : 13th JANUARY 2025.

P.C. :-

1. The Petitioners are accused in First Information Report (FIR) No.751 of 2020 registered on 26th October, 2020 with the M.I.D.C. Police Station, District Mumbai.

2. We have heard the learned Advocates for the Petitioners and Respondent No.2, who submits that the FIR can be quashed by consent. An affidavit dated 18th December, 2024 is filed by the Complainant at page Nos. 49 to 53, in the Petition paper-book.

3. We find that the dispute arose out of road rage. The

Complainant had honked which irritated the Petitioners. They confronted him and asked him to come out of his vehicle. Thereafter, the Petitioners assaulted him and broke the windows of the car. All of them stay in the same locality at Marol, Takpada and Marol Naka, in Andheri. The Petitioners have relented and have sought forgiveness. The Complainant submits in the affidavit that the Accused are the friends of his brother.

4. The learned APP submits that one grievous injury has been caused, as is evidenced by the injury report dated 1st January 2021. She further submits that the Complainant has set the criminal law into motion and a charge-sheet has also been filed after completing the investigation. She, therefore, prays that each of the Petitioners must pay cost to the State Government considering that they have taken law in their hands, though are now repentant and desire to reform themselves.

5. The learned Advocate for the Petitioners submits that all the Petitioners/Accused are present in the Court and they desire to show their bonafides by depositing such costs, as may be suggested by the Court, as donation. The Complainant is also

present in the Court.

6. We suggested that each of the Petitioners must deposit Rs.25,000/- with the State Government for the Central Police Welfare Fund.

7. The learned Advocate for the Petitioners submits that they are agreeable.

8. The learned Advocate representing the Complainant has submitted that he has no objection if the amount is donated to the Central Police Welfare Fund.

9. Considering the above and in the light of the decision of the Hon'ble Supreme Court in *Narinder Singh & Ors. Vs. State of Punjab & Anr., (2014) 6 SCC 466*, this Writ Petition is allowed in terms of prayer Clause (a) which reads as under (reproduced verbatim):-

(a) This Hon'ble Court by invoking writ jurisdiction under Article 226 of the Constitution of India r.w. inherent powers under S.482 of Cr.P.C may issue appropriate writ, order and/or direction and quash and set aside the impugned First Information Report dated 26.10.2020 in

FIR at C.R. No. 751/2020 registered with MIDC Police Station, Dist.-Mumbai for the offences punishable U/s. 323, 324, 326, 504, 427 r/w 34 of IPC and all proceedings emanating therefrom against the Petitioners.

10. The learned Advocate for the Petitioners submits that each of the Petitioners would deposit the amount through RTGS, within fifteen days from today.

11. The learned APP submits the following details to enable these Petitioners to deposit the amount :-

Name	:	Central Police Welfare Fund.
Bank Name	:	Axis Bank Ltd.,
Branch	:	Worli, Mumbai – 400 025.
Account No.	:	914010029005759,
IFSC Code	:	UTIB0000060.

12. After the Petitioners produce the proof of deposit of the money, in C.C.No. 662/PW/2022, before the learned Chief Judicial Magistrate at Andheri, Mumbai, thereafter, the Trial Court would proceed to close the case.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)