

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.5837 OF 2024

Santosh Balasaheb Pawar ...Petitioner

V/s.

The State of Maharashtra and Anr. ...Respondents

WITH  
CRIMINAL WRIT PETITION NO.3504 OF 2025

Ashwini Santosh Pawar and Anr. ...Petitioners

V/s.

The State of Maharashtra and Anr. ...Respondents

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|--------------------------------------------------|--------------------------------------------------|
| Mr.Hemant Ghadigaonkar i/b. Mr.Sandesh V. More:- | Advocate for Petitioners in both Writ Petitions. |
| Mr.B.V.Holambe-Patil:-                           | APP for Respondent No.1 -State.                  |
| Mr.Ranjeet Bhansale:-                            | Advocate for Respondent No.2.                    |

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CORAM : S. M. MODAK, J.

DATE : 15<sup>th</sup> JULY 2025

P. C. :-

1. It is true this Court has appointed the District Judge No.2–Pune as a Mediator to resolve the dispute between the parties as per the order dated 19<sup>th</sup> June 2024. There were several civil, criminal and revenue

matters pending between them. In pursuance to the order, the concerned parties have appeared before the learned Mediator. With all his skill and experience, the settlement is arrived at and the parties have decided to settle all these cases. The '*consent terms*' are also executed and filed before the Mediator. In pursuance to that, the parties to this proceeding are present.

2. My attention is invited to those '*consent terms*'. The clause No.III(f) and (g) refer to the present proceedings. Whereas, clause No. (viii) refers the willingness of the parties to settle all the civil, criminal and revenue complaints. This is signed by the parties.

3. Today all the Petitioners and the Respondent No.2 is present. They have admitted about the settlement and withdrawal of the proceedings. As per the '*consent terms*', the parties have also agreed to settle the dispute arising out of the FIR bearing C.R. No.38 of 2023 for the offences punishable under Sections 447, 354, 327, 143, 324 and other Sections of the Indian Penal Code, 1860 ("**IPC**"). In that FIR, the Petitioner Ashwini Santosh Pawar is the First-Informant. Whereas, the present Respondent No.2 Mozes Dupte and others are the Accused persons. As per the settlement, the Petitioner Ashwini has agreed to give a consent for quashing of that FIR. It is submitted by her

Advocate that the intimation is also given to the local Police about this settlement and on taking instructions, her Advocate even undertakes to file an Affidavit once the quashing Petition is filed.

4. Learned Judicial Magistrate – Paud Court – Pune directed the investigation under Section 156(3) of the Code of Criminal Procedure, 1973 (“**Cr.P.C.**”) as per the order dated 26<sup>th</sup> October 2023. This order was challenged by the proposed Accused. However, their Revision got dismissed and that is why present Petitions are filed for quashing of the order dated 26<sup>th</sup> October 2023 and 21<sup>st</sup> March 2024.

5. It is submitted that the FIR is not registered in pursuance to the said order. In view of the settlement, the matter can be disposed of. In view of that, **these two Petitions are disposed of.**

6. The order dated 26<sup>th</sup> October 2023 passed by the Judicial Magistrate First Class – Paud Court in Criminal Misc. Application No.2551 of 2023 is set aside. **That proceeding stands disposed of.**

7. The copy of the report is also taken on record.

[S. M. MODAK, J.]