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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 6119 OF 2024

Vikas Vitthalrao Dhagepatil

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr. Ajinkya Badar for the Petitioner.

Ms. P. M. Dabholkar, A.P.P. for the State.

Mr. A. I. Mestry, P.N., Rajgad Police Station, Pune Rural.

AND

CRIMINAL WRIT PETITION NO. 6129 OF 2024

Aditya Baban Pisal & Ors.

..... Petitioners

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr. Adars B, Mishra for the Petitioner.

Ms. Supriya Kak, A. P. P. for the State.

Mr. A. I. Mestry, P.N., Rajgad Police Station, Pune Rural.

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

DATE : 7th January, 2025

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P.C. :

1. We have heard the learned Advocates for the respective sides and we have perused the FIRs bearing No. 0553 of 2024 dated 23rd November, 2024 registered with the Rajgad Police Station, District Pune (Rural) and the FIR bearing No. 0554 of 2024 dated 23rd November, 2024 registered with the Rajgad Police Station, District Pune (Rural).
2. We have heard the learned A.P.P. and with the assistance of the learned Advocates, we have perused the record available.
3. It is undisputed that the Complainants in the two FIRs were travelling alongwith their family members and children in their respective four wheeler vehicles on 23rd November, 2024. The two vehicles brushed against each other near Khed Shivapur. As a result of road rage, both quarrelled with each other and both moved to the concerned Police Station to lodge their respective FIRs. Hence, the FIRs carry the numbers 0553 and 0554, of the same Police Station.
4. Both the parties have filed their affidavits indicating that they have resolved their dispute and pray for quashing of both the FIRs by consent.

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5. The learned A.P.P. submits that an appropriate order may be passed.

6. Both parties now state that no injury was caused to any person or their family members. There was an altercation between the parties while they were travelling in their respective vehicles alongwith family members (ladies and children). Due to anger, both reached the Police Station and lodged FIRs against each other.

7. Taking into account the peculiar facts of the case as recorded above, we find that the request of the respective Complainants and the Accused can be accepted in the light of the affidavits filed in both these Petitions and in view of the law laid down by the Hon'ble Supreme Court in *Narinder Singh & Ors. vs. State of Punjab & Anr.*, (2014) 6 SCC 466.

8. In view of the above, Criminal Writ Petition No. 6119 of 2024 is allowed in terms of prayer clause 10(a), which reads as under :-

10.a. *Quash and set aside the First Information Report dated 23rd November, 2024 registered with Respondent No.2 police station Rajgad, Pune (Rural) vide Crime No.553/2024 for the offences punishable under sections 126(2), 324(4), 115(2), 352, 351(2) & (3) of Bhartiya Nyaya Sanhita, 2023*

a/w Section 30 of the Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951.

9. Criminal Writ Petition No. 6129 of 2024 is allowed in terms of prayer clause 9(a) which reads as under :-

9(a) Quash and set aside the First Information Report dated 23rd November, 2024 registered with Respondent No.2 police station Rajgad, Pune (Rural) vide Crime No.554/2024 for the offences punishable under sections 126(2), 324(4), 189(2), 191(2), 190, 118(1), 115(2), 352, 351(2) & (3) of Bhartiya Nyaya Sanhita, 2023 and under Section 135 of the Maharashtra Police Act, 1951.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)