

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.730 OF 2024

1. Mr. Vitthal s/o. Nilkanth Chavan, )

aged about 66 years, Occ. - Retired )

2. Mr. Uday s/o. Vitthal Chavan, )

aged about 40 years, Occu - Lawyer )

Both are R/o. 1104/B, Vijaynagar, )

Kalewadi, Pimpri, Pune – 411017 )

... Applicants

V/s. )

## 1. State of Maharashtra )

through its Police Station Officer, )

Police Station Ravet, )

Dist. Pimpri-Chinchwad Pune. )

2. Mrs. Abhilasha w/o. Pawan Sonawane, )

aged about 40 years, Occ. Service, )

R/o. House No.107/3, type 4 )

Ordinance factory colony,

Dehu Road, Tah. Haweli, Dist.-Pune ) ... Non-Applicants

Mr. Gajanan N. Shinde, Advocate for the Applicants

Mr. V.B. Konde Deshmukh, Addl. P.P., for the Respondent State

Mr. Piyush Todkar, Advocate for the Respondent No.2

**CORAM : REVATI MOHITE DERE &  
SANDESH D. PATIL, JJ.**

**DATE : 24TH SEPTEMBER, 2025.**

**ORDER (Per Sandesh D. Patil, J.) :-**

1. The petitioner seeks quashing and setting aside of the First Information Report, registered vide CR No. 168 of 2023 dated 12<sup>th</sup> April 2023 with the Ravet Police Station, Pimpri-Chinchwad, Pune, for the alleged offences punishable under Sections 341, 447 of Indian Penal Code and Sections 3(1)(f) and 3(1)(r) of the Scheduled Caste and Scheduled Tribe Act, 1989.

2. According to the Respondent No.2 (Original complainant), on 2<sup>nd</sup> April 2023, she learnt that the Petitioners

had filed a complaint with the Ravet police station against her and her husband alleging therein, that they had demolished the petitioner's house and had also committed theft. On the same day, in the evening, when the complainant went to her house, at that time the complainant and his son orally abused the petitioner-complainant on the basis of her caste. Hence, on 3<sup>rd</sup> April 2023 the complainant lodged an FIR i.e. CR No.168 of 2023 with the Ravet Police Station, Pune.

3. The petitioner has filed the present Writ Petition seeking quashing of the FIR.

4. The Respondent No.2/complainant appeared pursuant to the notice issued to her. The Respondent No.2 has filed her affidavit, stating therein, that the dispute arose between the parties due to some misunderstanding. She has further stated in the affidavit that she does not intent to prosecute the case any further, and that she is giving her consent to quash the present FIR. She has further categorically stated that she has no objection

if the impugned FIR i.e. CR No.168 of 2023 dated 12<sup>th</sup> April 2023 registered with the Ravet Police Station, Pimpri-Chinchwad, Pune, is quashed and set aside.

5. Respondent No.2 – complainant when questioned, replied, that she has filed the affidavit on her own will and without any coercion. The respondent No.2 who is present in Court has been identified by her Counsel.

6. The Apex Court in **Ramawatar vs. State of Madhya Pradesh reported in (2021) 10 SCC 499** has held that where it appears to the Court that the offence in question; although covered under the Scheduled Caste and Scheduled Tribe Act, 1989 is primarily private or civil in nature or where the alleged offence has not been committed on account of the caste of the victim, the Court can exercise its inherent power to quash the proceeding.

7. Since the parties have amicably settled their dispute and the respondent No. 2 has given her no objection to the quashing of the FIR, and keeping in mind the judgment above, there is no impediment in quashing the FIR. Even otherwise, from a perusal of the FIR, it is doubtful if any offence under the Scheduled Caste and Schedules Tribes (Prevention of Atrocities) Act, 1989 is made out.

8. Hence, for the reasons stated above, the Writ Petition deserves to be allowed.

9. Accordingly, we allow the present Writ Petition and quash and set aside the First Information Report No.168 of 2023 dated 12<sup>th</sup> April 2023, registered at the behest of respondent No.1, with the Ravet Police Station, Pimpri-Chinchwad, Pune, for the offences punishable under sections 341, 447 of Indian Penal Code and Sections 3(1)(f) and 3(1)(r) of the Scheduled Caste and Scheduled Tribe Act, 1989.

10. The petitioners together to pay cost of Rs.50,000/- to the Maharashtra Centre Police Welfare Fund, bearing Account No.914010029005759, IFSC No.UTI B0000060 Axis Bank within a period of two weeks from today.

11. Petition is disposed of accordingly.

12. List the petition for compliance of payment of costs as directed on **17<sup>th</sup> October 2025**.

All the concerned parties to act on the authenticated copy of this order.

*(SANDESH D. PATIL, J.)*

*(REVATI MOHITE DERE, J.)*

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