

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

CRIMINAL APPLICATION NO. 1055 OF 2024

Kumari Kenuben Sonubhai Konti & Ors. ..Applicants

Versus

U.T. Administration of Dadra
and Nagar Haveli & Anr. ..Respondents

Mr. Mahaling M. Pandarge for Applicants.

Mr. H. S. Venegavkar a/w. Manoj Sable and Budhbhushan Rajratna
for U.T./Respondent No.1.

Mr. J. P. Yagnik, APP for State/Respondent No.2.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**

DATE : 13 FEBRUARY 2025

PC :

1. This is an application for quashing of the F.I.R. registered vide C.R.No.33 of 2024 at Silvassa police station, Dadra and Nagar Haveli, on 12.03.2024. The F.I.R. was lodged U/s.188 of the I.P.C. Subsequently, Sections 238 and 120B of the I.P.C. were added.

2. Heard Mr. Mahaling Pandarge, learned counsel for the Applicants, Mr. H. S. Venegavkar, learned counsel for the U.T./Respondent No.1 and Mr. Yagnik, learned APP for the State/Respondent No.2.

3. The Applicants are young students. The Applicant No.1 is a student of MBA course, the Applicant No.2 has recently completed her MBA course and the Applicant No.3 is a student of GNM course. According to the Applicants, they belonged to Scheduled Tribes and they were given benefit of scholarship for the respective courses. As the scholarship was not released, there was an agitation which was attended by around 50 to 70 students for demand of release of scholarship. The F.I.R. was registered in respect of the incident dated 11.03.2024.

4. The F.I.R. was lodged by Sagar Thakkar. According to him, there was prohibitory order issued on 25.01.2024 and 14.02.2024 in that area, by the District Magistrate, prohibiting holding of public meeting, dharna or gathering of public without permission. In spite of that the students gathered together and

were shouting slogans. They obstructed the free movement of private and public vehicles. Thus, they had committed this offence.

5. Learned Special P. P. after having a discussion with the authorities, very fairly stated before the Court that the authorities have no objection for quashing of these proceedings.

6. We have considered the stand taken by the Respondent Nos.1 and 2 and we find it commendable. The students were in need of scholarship. They were entitled to get it; but it was not released. Though, the obstruction of the traffic may not be justified; but considering the over all situation, we find that the entire future of the Petitioners would be affected because of this incident. They were demanding their legitimate scholarship. Therefore, in our opinion, interest of justice would be served if the present proceedings are quashed. Future of the students should not be affected by this incident. The authorities have given no objection for quashing of these proceedings.

7. Hence, the following order:

O R D E R

- i) The F.I.R. registered vide C.R.No.33 of 2024 at Silvassa police station, Dadra and Nagar Haveli, on 12.03.2024 is quashed and set aside.
- ii) The Application is disposed of.

(S. M. MODAK, J.)

(SARANG V. KOTWAL, J.)