

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

CRIMINAL APPLICATION NO.1711 OF 2024

Gulzaman Amjad Pathan
and another

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Ms. Shaheen S. Kapadia, Advocate for the Applicants.

Smt. M.H. Mhatre, APP for the Respondent No.1-State.

Mr. Irfan Unwala, Advocate for the Respondent No.2.

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

DATE : 05th FEBRUARY, 2025

P.C. :

1. This is an Application for quashing of the FIR registered vide C.R. No.468/2024 dated 20.10.2024 registered at Vijapur Naka police station, Solapur for the offences punishable under Sections 352, 351(2), 3(5), 118(1) and 115(2) of the Bharatiya Nyaya Sanhita, 2023

2. Heard Ms. Shaheen Kapadia, learned counsel for the Applicants, Smt. M.H. Mhatre, learned APP for the Respondent No.1-State and Mr. Irfan Unwala, learned counsel for the Respondent No.2.

3. The FIR is lodged by the Respondent No.2 Saifali Mujawar. He has stated that the Petitioner No.1 had taken *sunmica* sheets from the informant's shop worth Rs.14,000/-. He had paid Rs.10,168/- but the balance amount was not paid. The informant was pursuing payment of those dues. On 20.10.2024 at about 11.20 a.m., the Applicant No.1 called the informant to his shop. The informant went to his shop at around 3.30 p.m.. There was a quarrel and some altercation. The Applicant No.2, who was father of the Applicant No.1, also came there. It is alleged that the Applicant No.1 assaulted the informant with iron rod on his left arm. When the informant was trying to stop him, he received injuries on his index finger and on the head. The Applicant No.2 gave a blow on his person. He suffered injuries. On this basis, the FIR is lodged.

4. Now the matter is settled between the parties. The

informant has filed an affidavit giving his specific consent for quashing of the present offence. The informant is present before the Court. He stated that he has no objection for quashing of the complaint.

5. Learned APP produced the injury certificate. The informant had suffered two abrasions and one small wound on the upper-lip. There was small fracture of left index finger. However, the informant told the Court that there was no permanent damage and the injury was healed in a short time. It does not appear to be a serious injury causing any serious damage. The parties have now settled the dispute. The informant told the Court that he has no objection for quashing the proceedings. He is identified by the learned counsel for the informant.

6. In this view of the matter, since the dispute was purely personal in nature, we are inclined to allow this Application.

7. Hence, the following order:

:: O R D E R ::

- i. The FIR being C.R. No.468/2024 registered at Vijapur Naka police station, Solapur and the consequent proceedings arising therefrom, are quashed and set aside.
- ii. The Application is disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)