

the consent terms arrived at between the Complainant/ First Informant/ Victim.

3. The learned Addl.PP points out that after investigation was made, especially the medical examination of the Victim, it was revealed that he has suffered minor injuries. There was no major injury to the extent of any fracture or one such, which could be termed as being a major injury. The Investigating Officer has, therefore, proceeded to drop Section 125 (b) of the BNS 2023.

4. The Applicant/Accused is 18 years of age and is studying in the first year of the degree course of Bachelor of Mass Communication, in a college in Mumbai. The Victim is also 18 years of age and is taking education in a college in Mumbai in the first year of the Commerce faculty.

5. An affidavit has been filed by the Victim, dated 9th December, 2024 specifically setting forth in paragraph Nos. 5 and 6 as under :

“5. I say that in terms of the MoU, I have received an amount of Rs.30,000/- and that after receipt of the amount, I have no grievance whatsoever against the Applicant and I have no objection if the

FIR No. 820 of 2024 and the chargesheet filed and numbered as CC No. 2607255/PS/2024, with Judicial Magistrate, 1st Class, 26th Court at Borivali, Mumbai in the above matter is quashed in exercise of powers vested in this Hon'ble Court.

6. I give my unequivocal and unconditional consent for quashing of the FIR No. 820 of 2024 and the chargesheet filed in the matter.”

6. Considering the above and keeping in view the fact that minor injuries were suffered by the Victim and both the parties are young students whose careers are at stake, it is, by consent, that they pray that FIR No. 820 of 2024, be quashed. The maximum jail sentence, if both the offences are proved, would be six months or a fine of Rs. 5000/-. The Victim has made a statement on oath that he has received Rs. 30,000/- towards compensation. When specifically called upon, the learned Advocate representing the Victim submits that the entire medical expenses have been covered by the said amount and the Victim has no grievance.

7. In view of the above, **this Criminal Application is allowed** and FIR bearing No. 820 of 2024, is quashed by consent. Consequentially, the charge-sheet dated 18th September, 2024 would not survive and Case No. 7255/PS/ 2024 pending before the Judicial

Magistrate First Class, 26th Court, Borivali, Mumbai would stand disposed off.

8. The learned Addl.PP submits that some cost amount be donated for a noble cause, by the Applicant/ Accused. The learned Advocate for the Applicant/ Accused fairly submits that the father of the Applicant/Accused is working in a Bank.

9. In view of the above, we direct the Applicant/ Accused to deposit Rs. 1,000/- with the High Court Legal Services Authority, within 30 days.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)