

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

WRIT PETITION NO.401 OF 2025

SATISH
RAMCHANDRA
SANGAR

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SATISH RAMCHANDRA
SANGAR

Date: 2025.03.20
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1. **Rajesh Pardeshi Kanojia**
Age : 47 Years, Occupation : Advocate
2. **Anulekha Rajesh Kanojia**
Age : 40 Years, Occupation : Housewife
3. **Ruhaan Rajesh Kanojia**
Age : 15 Years, Occupation : Student
(Being minor, the Petitioner No.3 is
represented by his guardian/Father)
i.e. the present Petitioner No.1.

All residing at:- Flat No.304, B-Wing,
3B, Jai Hind CHS, Gate No.8,
Near Malwani Bus Depot, Malad-West,
Mumbai : 400095.

...Petitioners

Versus

1. **The State of Maharashtra**
Through Malwani Police Station,
Malad-West, Mumbai : 400095.
2. **Sikandar Naseer Khan**
Age : 44 Years, Occupation : Business,
Residing at : Flat No.703, C-Wing,
2/C, Vastu Rachna CHS, Gate No.8,
Near Malwani Bus Depot, Malad-West,
Mumbai : 400095.

...Respondents

Mr.Jayant Bardeskar – Advocate for Petitioners.

Mr.S.V.Gavand – APP for Respondent No.1 – State.

Ms.Afin Pathan a/w Mr.Rafiq Gori, Mr.Sharin Pathan–Advocates
for Respondent No.2.

Satish Sangar

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

DATE : 19th MARCH 2025

P.C. :

1. This is a Petition filed for quashing of the F.I.R. registered vide C.R. No.1653 of 2024 at Malwani Police Station on 9th December 2024 under Sections 118(2), 118(1), 74, 115(2), 352, 189(2), 191(2), 190 of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

2. The F.I.R. is lodged by the Respondent No.2 in respect of the incident dated 8th December 2024 at about 10.30 p.m. On that date, the informant’s son called him and told him, that one uncle was beating him. The informant came down in the parking area. It is alleged that he got to know that the present Petitioner No.1 had beaten the informant’s son. The quarrel escalated. There are allegations that the Petitioner No.1 gave blows with bamboo and caused injuries on his left hand.

On these allegations, the F.I.R. is lodged.

3. The investigation is still in progress. The charge-sheet is not yet filed. Learned APP produced the injury certificate of the informant before the Court. He had suffered

fracture on left hand finger. The informant's wife had suffered one minor injury. There was no life threatening injury.

4. Learned counsel for the Petitioners submitted, that both the parties are residing in the same society. The F.I.R. was lodged out of some misunderstanding. The parties have settled the matter. In fact, the Petitioner No.1 lodged his own F.I.R. vide C.R. No.1652 of 2024 at the same Police Station. Both the parties are residents of the same society. The parties have resolved their issues. The Respondent No.2 has filed an Affidavit giving consent for quashing of these proceedings. He has stated in his Affidavit, that he was under the impression that the entire episode was a result of the design on the part of the Petitioners and out of the said misunderstanding, he had lodged the F.I.R.

It is further mentioned that with the interventions of the friends, well wishers and family members, the misunderstandings were cleared and he has "No objection" for quashing of these proceedings.

5. The Respondent No.2 is present in the Court. He supported the statements in the Affidavit. He is identified by his learned counsel. He stated before the Court that he has "No

objection” for quashing of these proceedings. The dispute between the parties is personal in nature. They are residents of the same society. The informant’s Affidavit mentions, that the F.I.R. was lodged due to some misunderstanding.

6. Considering this background, it would be in the interest of both the parties that the prosecution is quashed. The incident appears to be minor. There is no life threatening injury. The Respondent No.2 has stated that he had lodged the F.I.R. on some misunderstanding. There is one more Petition filed by the Respondent No.2 herein for quashing of the F.I.R. lodged by the Petitioner No.1 i.e. C.R. No.1652 of 2024. Even in that matter, the prayer is made for quashing of the proceedings by consent. Considering that matter is completely resolved between the parties and since they are residing in the same society for their peaceful cohabitation, it would be in the interest of justice to quash the proceedings. Hence, following order:-

O R D E R

- (i) The C.R. No.1653 of 2024 registered with Malvani Police Station and the consequent proceedings arising out of that are quashed and set aside.

7. With these observations, the Petition is disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)