

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1370 OF 2025

Madhukar Sankhe

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

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Mr.Ayush Pasbola – Advocate for Petitioner.

Mr.S.R.Agarkar – APP for Respondent No.1 – State.

Mr.Homruz Mehta i/b. J. Sagar Associates – Advocate for
Respondent No.2.

Ms.Varsha Gavit – PSI – Matunga Police Station, Mumbai.

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

DATE : 6th MAY 2025

P.C. :

1. This is a Petition for quashing of the F.I.R.
registered vide the C.R. No.328 of 2024 registered at Matunga
Police Station on 16th August 2024 under Section 79 of the
Bharatiya Nyaya Sanhita, 2023 (“**BNS**”).

The F.I.R. is lodged by the Respondent No.2. She
has stated in her F.I.R. that she is staying with her family as a
tenant in the building by name Bullet in Room No.302 at Dadar
(East). The Petitioner was a secretary of the society. In June-

2024, the society had undertaken the work of painting the entire building. For that purpose, some hoarding was removed from the premises, and was kept in front of the informant's parking space. Therefore, she was unable to move her car. There was some dispute about the said fact.

On 6th August 2024, at about 3.20 p.m., the informant requested the Petitioner to do something about that hoarding. The quarrel took place and there are allegations that the Petitioner used some derogatory words against her amounting to the offence under Section 79 of BNS.

2. Now, the matter is completely settled between the parties. The Respondent No.2 has filed her Affidavit. She has stated that there was no more animosity or ill-will between the parties. She has no grievance against the Petitioner, and she is not interested in prosecuting him any further. She has stated that the quarrel had arisen in the heat of argument, and due to misunderstanding.

3. The Respondent No.2 is present before the Court. She is identified by her learned counsel. She has stated before the Court that the averments in the Affidavit are correct. She has "*No objection*" if the prosecution is quashed. The dispute

between the parties is purely personal in nature. Both of them are residing in the same society, and they are residing together peacefully as of today. No purpose will be served, if the prosecution is continued. Therefore, we are inclined to allow this Petition. Hence, the following order:-

O R D E R

- (i) The F.I.R. registered vide the C.R. No.328 of 2024 at Matunga Police Station – Mumbai is quashed, and set aside.
4. With these observations, the Petition is disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)