

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

CRIMINAL WRIT PETITION NO.1534 OF 2025

Deepak Ashok Teki

...Petitioner

Versus

1. The State of Maharashtra

2. Jeet Atul Shah

...Respondents

Mr.Anil Lalla a/w Mr.Yash Pulekar, Ms.Ankita Rathod,
Ms.Rithika Yerra – Advocates for Petitioner.

Mr.Y.M.Nakhwa – APP for Respondent No.1 – State.

Mr.Rahul Moghe (Through V.C.) i/b. Ms.Kalyani Rathod –
Advocate for Respondent No.2.

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

DATE : 6th MAY 2025

P.C. :

1. This is a Petition for quashing of the criminal case bearing C.C. No.459/PW/2023 pending before the learned Judicial Magistrate First Class, 40th Court, Girgaon for the offences punishable under Sections 323, 324, 504, 506 read with 34 of the Indian Penal Code, 1860 (“**IPC**”). It arises from the F.I.R. registered vide the C.R. No.8 of 2023 dated 8th January 2023 at Gamdevi Police Station.

2. The F.I.R. is lodged by the Respondent No.2. He has stated that he is the owner of New Campala Petrol-Pump in front of Jaslok hospital. There is one sandwich shop adjacent to his petrol pump. The delivery boys coming to collect the food parcels used to park their two-wheelers around the petrol-pump. If, they tried to park those vehicles in the area of the petrol-pump, the informant's employees used to tell them to park their two-wheelers outside the petrol-pump area.

3. The incident in question occurred on 1st December 2022 at around 7.10 p.m. At that time, the Petitioner who was a delivery boy came there, and parked his two-wheeler within the premises of the petrol-pump. The informant's employees told him to park his vehicle outside the area of petrol pump. The quarrel started. There are allegations that the Petitioner abused the informant, and his employees, and assaulted the informant with the belt and with his helmet. The assault was caused by the Petitioner, and the co-accused Arshad Shaikh. The co-accused Arshad has not filed any Petition.

4. Now, the matter is completely settled between the parties, and the consent is given for quashing the entire proceedings including against the co-accused Arshad Shaikh as

well. The investigation is over, and the charge-sheet is filed. The charge-sheet contains the statements of the employees of the First-Informant who have supported the informant's case in the F.I.R. The medical-certificate regarding the injuries suffered by the informant shows that there were three injuries as follows:-

- (i) Scratch mark coupled with abrasion on forehead.
- (ii) Swelling and tenderness of right finger.
- (iii) CLW on forehead.

The injuries are not grievous. The offence is mainly under Section 324 of IPC.

5. The matter is settled between the parties. The Respondent No.2 has filed his Affidavit giving his consent for quashing of these proceedings. The Respondent No.2 is present before the Court. He is identified by his learned counsel. He stated before the Court that the contents of the Affidavit are correct. He stated that he has "*No objection*" for quashing of the proceedings, and the matter is settled between the parties. The incident was between the Petitioner on one side, and the informant, and his employees on the other. The injuries caused are not serious. Both the parties have settled the dispute.

Therefore, the entire proceedings can be quashed. Though the

co-accused is not before the Court, the Respondent No.2 has “*No objection*” for quashing the proceedings against him also.

Hence, the following order:-

O R D E R

- (i) The criminal proceedings pending before the learned Judicial Magistrate First Class – 40th Court, Girgaon vide the C.C. No.459/PW/2023 arising out of the C.R. No.8 of 2023 registered at Gamdevi Police Station are quashed and set aside.

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

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)