

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3325 OF 2025

Manji Bhanji Patel & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Saurabh Butala for Petitioners.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Mr. M. K. Kocharekar for Respondent No.2.

Mr. Ganesh Suresh Pawar, PSI, Mahad MIDC Police Station, Raigad.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 25th JULY 2025

P.C.:-

1) Leave to amend to incorporate challenge to Special Case No.11 of 2024 pending before the learned Additional Sessions Judge, Mangaon, Dist. Raigad, in the prayer clauses, granted.

1.1) Amendment be carried out during the course of the day.

2) Petitioners, accused in Special Case No. 11 of 2024, pending on the file of Additional Sessions Judge, Mangaon, Dist. Raigad, arising out of C.R. No.I-68 of 2022, dated 24th May 2022, registered with Mahad MIDC

Police Station, Raigad, under Sections 120-B, 420, 465, 467, 468 and 471 of the Indian Penal Code and Sections 3(1)(f), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, have filed this Petition for quashing of the said case with consent of Respondent No.2, the informant.

3) Mr. Butala, learned Advocate appearing for Petitioners submitted that, the Petitioners and Respondent No.2 have settled their disputes and differences and Petitioners have agreed to pay a total consideration of Rs.1,60,00,000/- to Respondent No.2. That, out of the said Rs.1,60,00,000/-, an amount of Rs.90,00,000/- has already been paid to Respondent No.2 and the balance amount of Rs.70,00,000/- will be paid after quashing of the crime in question. That, Respondent No.2 is therefore giving his consent for quashing of crime in question. He, therefore, prayed that the said crime may be quashed with the consent of Respondent No.2.

4) Mr. Kocharekar, learned Advocate appearing for Respondent No.2 conceded to the fact of amicable settlement between Petitioners and Respondent No.2. He tendered across the Bar an Affidavit of Respondent No.2, dated 25th July 2025, duly affirmed before the Assistant Registrar of this Court. In paragraph 5 thereof, the fact of agreement to pay amount of Rs.70,00,000/ by Petitioners to Respondent No.2 is admitted. In paragraph 7 thereof, Respondent No. 2 has given his no objection for quashing the crime in question.

4.1) Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of Affidavit dated 25th July 2025 and his 'no objection' for quashing of the crime question.

5) In view of the above and after perusing the record, we are inclined to quash Special Case No. 11 of 2024, pending on the file of Additional Sessions Judge, Mangaon, Dist. Raigad, arising out of C.R. No. I-68 of 2022, dated 24th May 2022, registered with Mahad MIDC Police Station, Raigad, under Sections 120-B, 420, 465, 467, 468 and 471 of the Indian Penal Code and Sections 3(1)(f), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

6) As we expressed our opinion, Mr. Butala, learned Advocate appearing for Petitioners, on instructions, submitted that Petitioners will voluntarily pay a cost of Rs.50,000/- each totaling to Rs.2,50,000/- jointly or severally, to the Bar Council of Maharashtra and Goa's Advocate Academy & Research Center, within a period of two weeks from the date of uploading of the present order on the official website of the High Court, Mumbai. Undertaking accepted.

7) As Respondent No.2 is successful in having settlement due to lodgment of present crime, Mr. Kocharekar, learned Advocate on instructions of Respondent No.2, who is personally present in the Court, submitted that, Respondent No.2 will voluntarily also pay a cost of Rs.1,00,000/- to the Bar Council of Maharashtra and Goa's Advocate

Academy & Research Center, within a period of two weeks from the date of uploading of the present order on the official website of the High Court, Mumbai. Statement is accepted.

7.1) Details of the bank Account for payment of cost are as under :

Account Name	:	BCMG's Advocate Academy & Research Center
Bank and Branch	:	Bank of India, Mumbai Main
Account Number	:	000120110001327
Type of Account	:	Current A/c
IFSC Code	:	BKID0000001

8) Subject to payment of costs by the Petitioners and Respondent No.2 within the stipulated period as noted above, the Petition is allowed in terms of prayer clause (a).

8.1) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Petition will stand revived automatically and in that event, the trial Court will proceed with the case expeditiously.

9) List the Petition on board on 29th August 2025, under the caption 'for reporting compliance'.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)