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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 752 OF 2025

- | | | | |
|----|---------------------|---|---------------|
| 1) | Rizwan Sharif Patel |] | |
| 2) | Irfan Patel |] | |
| 3) | Jafar Yusuf Patel |] | |
| 4) | Kayesh Jafar Patel |] | |
| 5) | Moiz Anwar Patel |] | |
| 6) | Ashfaq Yusuf Patel |] | |
| 7) | Aavesh Yusuf Patel |] | |
| 8) | Farhan Hanif Patel |] | ...Applicants |

V/s.

- | | | | |
|----|------------------------|---|----------------|
| 1) | State of Maharashtra |] | |
| 2) | Mobin Husainmiya Patel |] | ...Respondents |

Mr. Kishor Shetty a/w. Ms. Sudha Thevar for Applicants.

Smt. M. M. Deshmukh, A.P.P for Respondent No. 1 – State.

Ms. Prajakta Deshmukh for Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 7th AUGUST, 2025

PC.:-

1) By this Application under Sections 482 of the Criminal Procedure Code, the Applicants, accused in R.C.C.No. 1445 of 2019, pending on the file of 6th Judicial Magistrate First Class, Belapur, Navi Mumbai, arising out of C.R.No. 0203 of 2019, dated 25th June, 2019, registered with Koparkhairane Police Station, Navi Mumbai under Sections 324, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, 1951, are seeking to quash the said crime, with the consent of Respondent No.2, the informant.

2) Learned Advocate for Applicants submitted that, the Applicants and Respondent No.2 have settled their disputes and differences amicably and therefore the said case may be quashed with the consent of Respondent No.2.

3) Ms. Deshmukh, learned Advocate appearing for Respondent No.2 submitted that, the Respondent No.2 has already filed on record his Affidavit dated 2nd July, 2025, duly affirmed before a Notary Public. In Para No. (6) thereof, Respondent No.2 has given his no objection for quashing of the crime in question.

3.1) Respondent No.2 is personally present in Court and through his Advocate reiterates the contents of his Affidavit dated 2nd July, 2025 and his 'No Objection' for quashing of the crime in question.

4) In view of the above, we are inclined to quash R.C.C.No. 1445 of 2019 pending on the file of 6th Judicial Magistrate First Class, Belapur, Navi Mumbai, arising out of C.R.No. 0203 of 2019, dated 25th June, 2019, registered with Koparkhairane Police Station, Navi Mumbai under Sections 324, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, 1951.

5) As we expressed our opinion for quashing of R.C.C.No. 1445 of 2019 pending on the file of 6th Judicial Magistrate First Class, Belapur, Navi Mumbai, Mr.Shetty, learned Advocate for Applicants on instructions submitted that, for quashing of the said crime, the Applicants will voluntarily pay a cost of Rs.2,500/- each, totalling to Rs.20,000/- jointly or severally, to Armed Forces Battle Casualties Welfare Fund, within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

5.1) We therefore direct the Applicants to pay a cost of Rs.2,500/- each, totalling to Rs.20,000/- jointly or severally, to Armed Forces Battle Casualties Welfare Fund, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay and submit its receipt(s) in the Registry of this Court.

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

Account Name :- Armed Forces Battle Casualties
Welfare Fund.
Account Number :- 90552010165915.
Bank Name :- Canara Bank.
Branch :- South Block, Defence Headquarters,
New Delhi – 110 011.
IFSC Code :- CNRB0019055.

6) Applicants to pay the aforestated cost within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

7) In view of the above and subject to payment of cost by the Applicants within stipulated period as noted above, the Application is allowed in terms of prayer clause (a).

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

9) List the Petition on board on 8th September, 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)