

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1097 OF 2025

- | | | | |
|----|-------------------------------------|---|----------------------------|
| 1. | Sanket Satish Patil |) | |
| | Age : 38 Years, Occu. : Lawyer |) | |
| | |) | |
| 2. | Ganesh Dagdu Mali |) | |
| | Age : 29 Years, Occu. : Labour |) | |
| | |) | |
| 3. | Mangesh Punjaram Garud |) | |
| | Age : 32 Years, Occu. : Labour |) | |
| | |) | |
| 4. | Rohan Santosh Zalte |) | |
| | Age : 34 Years, Occu. : Labour |) | |
| | |) | |
| 5. | Summit Paithankar |) | |
| | Age : 28 Years, Occu. : Labour |) | |
| | |) | |
| 6. | Akshay Ghodeswar |) | |
| | Age : 31 Years, Occu. : Agriculture |) | |
| | |) | |
| 7. | Rohit Kashinath Gaikwad |) | |
| | Age : 27 Years, Occu. : Labour |) | |
| | |) | |
| 8. | Sunil Vitthal Pawar |) | |
| | Age : 35 Years, Occu. : Labour |) | |
| | |) | |
| | All R/at. Nagarsul, Tal. Yeola |) | |
| | District - Nashik |) | ... Applicants |
| | |) | (Orig. Accused Nos.1 to 8) |
| | Versus |) | |
| | |) | |
| 1. | The State of Maharashtra |) | |
| | At the instance of Yeola |) | |
| | City Police Station. |) | |

2. **Gaurav Rajendra Gaikwad @ Wagh**)
(Orig. Complainant))
Age : 35 Years, Occu. : Driver)
R/at. Middle Lane, Tal. Yeola,)
District Nashik) ... Respondents

Mr. Chetan S. Damre a/w Mr. Omkar S. Banbe, for the Applicants.

Ms. Gauri S. Rao, A.P.P., for the Respondent - State.

Mr. Vishwatej R. Jadhav, for the Respondent No.2.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**

DATE : 28TH NOVEMBER, 2025.

ORAL JUDGMENT (Per Revati Mohite Dere, J.) :-

1. Heard learned counsel for the parties.
2. **Rule.** Rule is made returnable forthwith with the consent of the parties and the application is taken up for final disposal. Learned APP waives notice on behalf of the Respondent-State. Learned Counsel appearing for the Respondent No.2 waives notice on behalf of the Respondent No.2.

3. By this application, the Applicants seek quashing and setting aside of the FIR registered vide C.R. No. 0294/2025 with the Yeola City Police Station, Nashik, as against the Applicants for the offences punishable under Sections 118(1), 189(2), 191(2), 191(3), 190, 115, 351(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023 (hereinafter referred as 'B.N.S.'). Quashing is sought on the premise, that the parties have amicably settled their dispute i.e. dispute between the Applicants and the Respondent No.2.

4. Perused the FIR. According to the Respondent No.2 (Original Complainant) he was in the business of plying taxis between Nagarsul to Shirdi. According to the Respondent No.2 the incident took place on 14.09.2025, when he was travelling from Nagarsul to Shirdi. He has stated that when he reached Yeola toll plaza at about 9:30 a.m. to 9:45 a.m., one Scorpio vehicle overtook his vehicle and prevented him from proceeding further. The Respondent No.2 has further alleged that the Applicants got down from the said Scorpio vehicle and started

assaulting him with pipe and stick. Post the said incident, the aforesaid FIR was lodged by the Respondent No.2 against the Applicants alleging the aforesaid offences.

5. Post registration of the aforesaid FIR, the parties i.e. Applicants and Respondent No.2 amicably settled their dispute.

6. The Respondent No.2 has affirmed the affidavit which is annexed to the application. In the said affidavit, the Respondent No.2 has stated that the dispute has been amicably settled between them and that the Applicants have tendered an apology to him for the incident. He has further stated that he has no objection if the FIR is quashed.

7. The Respondent No.2-Gaurav Rajendra Gaikwad, is present in the Court. He reiterates what is stated in the affidavit. He is identified by his Counsel. The learned Counsel for the Respondent No.2 has tendered a photocopy of the Aadhar Card of the Respondent No.2 duly attested by him. The same is taken on record.

8. Considering the amicable settlement between the parties, the nature of dispute, the affidavit of Respondent No.2 and the judgment of Apex Court, there is no impediment if the application is allowed. We may note, that no medical certificate has been produced to show that the Respondent No.2 had in fact suffered any grievous/serious injuries in the incident.

9. Application is accordingly allowed and the FIR registered vide C.R. No. 294/2025 with the Yeola City Police Station, Nashik is quashed and set aside.

10. We are informed at this stage by the learned Counsel for the Applicants and the learned Counsel for the Respondent No.2. that all the Applicants are before this Court and the quashing is of the entire FIR. Statement accepted.

11. **Rule** made is absolute on the aforesaid terms.

12. Application is disposed of accordingly.
13. All concerned parties to act upon an authenticated copy of this Order.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)

VDMokal