

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1323 OF 2025

Mr. Harsh Rajiv Pujara
Age 22 Years, Occ. Student
Permanent Address at Room No.25,
Building No.7, 2nd Floor, Khadilkar Road
Girgaon, Mumbai-400 004. ... Applicant

V/s.

1. The State of Maharashtra & Ors.
At the instance of Paud Police Station
Pune.
2. Mr. Arash Gajanan Barve
Age 22 years. Occ. Student
Presently Residing at 4/B/1905,
Dreams Apartment, LBS Marg,
Bhandup (West), Mumbai-400 078 ... Respondents

Mr. Mahesh Devlekar for the Applicant.

Mrs. Kranti T. Hiwrale, A.P.P. for Respondent No.1-State.

Mr. Ramesh K. Lad for Respondent No.2.

Mr. Ishwar Popat Kale, P.C., Paud Police Station, Pune Gramin.

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

DATE : 24th NOVEMBER 2025

Oral Judgment (Per Revati Mohite Dere,J.)

- 1) Heard learned Counsel for the parties.
- 2) **Rule.** Rule is made returnable forthwith. With consent of the parties, the aforesaid Application is taken up for final disposal. Mrs. Kranti Hiwrale, learned A.P.P., waives notice for Respondent No.1-State and Mr. Ramesh Lad, waives notice for Respondent No.2 (original complainant).
- 3) By this Application, the Applicant seeks quashing of the F.I.R., registered *vide* C.R. No.531 of 2024, with the Paud Police Station, Pune, for the alleged offence punishable under Section 281 of the Bharatiya Nyaya Sanhita, 2023 (“BNS”), chargesheet and consequently, the proceeding pending before JMFC, Paud, Pune, being Criminal Case No.S.C.C./1371/2025. Quashing is sought on the premise, that the dispute has been amicably settled between the Applicant and the Respondent No.2.
- 4) Perused papers. According to the Respondent No.2 (original complainant), the Mercedes Benz vehicle, registered in the name of his father, was damaged, in an incident took place on 10th December 2024.

It is the Respondent No.2's case that the Applicant, while reversing his Maruti Suzuki car, dashed the Mercedes Benz car, pursuant to which the Mercedes Benz car was damaged. Admittedly, none sustained any injury in the said incident. Infact, both the vehicles, i.e. the Applicant's Maruti Suzuki and Respondent No.2's Mercedes Benz, were damaged in the said incident. Pursuant to the same, the Respondent No.2, lodged the F.I.R., *vide* C.R. No.531 of 2024, with the Paud Police Station, Pune, alleging the aforesaid offence.

5) After investigation, chargesheet was filed and the case is presently pending before the learned JMFC, Paud Court, at Pune. It appears that during the pendency of the aforesaid case at Paud, the parties amicably settled their dispute.

6) The Respondent No.2-Arash Gajanan Barve, has tendered his Affidavit dated 4th October 2025, the same is taken on record. In the said Affidavit, the Respondent No.2 has given his 'no objection' for quashing of the aforesaid case against the Applicant. It also appears that for the damage cause to the Respondent No.2's vehicle, the Applicant has paid an amount of Rs.1,15,000/- to the Respondent No.2. The

Respondent No.2 is present in person, when questioned, he reiterates what is stated by him in his Affidavit dated 4th October 2025, i.e. he has 'no objection' for quashing of the proceeding, initiated at his behest. Statement accepted. He is identified by his Counsel and by the Officer, who is present.

7) We have perused the F.I.R. as well as the chargesheet and Section 281 of the BNS. Having perused the same, *prima facie*, we find that no offence whatsoever is disclosed under Section 281 of the BNS. In fact, the Police, in the facts, could not have even registered the F.I.R. against the Applicant, inasmuch as in the incident, no life was in danger, since nobody was admittedly, present in the said Mercedes Benz car.

8) Be that as it may, since the parties have amicably settled their dispute, Criminal Application is allowed and C.R. No.531 of of 2024, registered with Paud Police Station, Pune, chargesheet and consequently, the proceeding pending before the learned JMFC, Paud Court, Pune, being S.C.C. No.1371 of 2025, are quashed and set aside.

9) **Rule** is made absolute in the aforesaid terms and the Application is disposed of.

10) All the parties to act on the authenticated copy of this Order.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)