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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.416 OF 2026

NAWAZ SHAIKH @ CHOTA NAWAZ
AND 5 ORS. ... PETITIONERS

Versus

STATE THR. PUBLIC PROSECUTOR
AND 3 ORS. ... RESPONDENTS

Mr. Athnain Naik, Advocate for the Petitioners.

Ms. Swati Kamat Wagh, Additional Public Prosecutor with Ms. Shibani Singh, for Respondent Nos. 1 & 2.

CORAM:- AMIT S. JAMSANDEKAR , J.

DATED :- 01st October, 2026

P.C.

1. By the present petition, the Petitioner seeks quashing of FIR No. 5/2026 registered at Vasco Police Station and the Chargesheet No. 25/2026 dated 04.04.2026, filed after registration of the FIR.

2. The FIR was registered based on a complaint filed by the 3rd Respondent on 07.01.2026. The allegation in the complaint is

that the Petitioners, with their common intention, drove a white-coloured Swift Dzire car bearing registration No. GA 08 AA 7281 and proceeded from Dabolim Airport to Varunapuri Junction, Mangor Hill, Vasco, Goa. When the car reached near the Coast Guard gate, the Petitioner intentionally gave a dash to the complainant i.e. the 3rd Respondent, and his uncle, who is the 4th Respondent. Thereafter, the Petitioners assaulted the 3rd Respondent and 4th Respondent with two iron rods, which resulted in serious injuries to their Head and other parts of the body. According to the Complaint, the Petitioners did so due to previous enmity with the complainant (the 3rd Respondent). The 3rd and 4th Respondents further alleged that the Petitioners also took Rs. 5000/- from the pocket of the 3rd Respondent.

3. On the basis of the allegation, the FIR was registered, and consequently, the chargesheet was filed on 04.04.2026 for offences punishable under Section 109, 118(2), 118(1), 303(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. It is submitted that all the Petitioners are of very young age and, with the help of friends, family and community, they have

resolved all their disputes. Therefore, the Petitioners and the 3rd and 4th Respondents have jointly requested that the FIR /Chargesheet in the criminal proceedings be quashed and set aside by consent. Therefore, the Respondent Nos. 3 and 4 have filed affidavits dated 18.09.2026 in these proceedings.

5. The relevant paras of the affidavit of the Third Respondent read as follows:-

> *3. I say that during the pendency of the criminal proceedings, the dispute between myself and the Petitioners has been amicably settled with the intervention of well-wishers, relatives and persons known to both sides and as the accused persons have undertaken not to interfere with me and my family in the future.*
>
> *4. I say that the settlement arrived at between the parties is voluntary, genuine and bona fide and has been entered into by me of my own free will and consent.*
>
> *5. I specifically state that I have not been subjected to any threat, coercion, pressure, undue influence or inducement*

for entering into the said settlement or for giving this affidavit.

6. I say that pursuant to the settlement, all my disputes and grievances with the Petitioners arising out of the aforesaid incident have been resolved and there is presently no surviving dispute or grievance between myself and the Petitioners.

7. I say that I have considered the matter and have decided that I do not wish to pursue the criminal proceedings arising out of the aforesaid FIR against the Petitioners.

8. I say that I have been informed about the Petition filed by the Petitioners before this Hon'ble Court seeking quashing of the aforesaid FIR and all consequential proceedings on the basis of the settlement between the parties.

9. I say that I have no objection whatsoever if this Hon'ble Court is pleased to quash FIR/Crime No. 5/2026 registered with Vasco Police Station, and all consequential proceedings arising

therefrom, insofar as the Petitioners are concerned.

6. I have heard the learned Additional Public Prosecutor for the State. The State vehemently opposes the Petition, *inter alia*, on the ground that the 3rd and 4th Respondents have misused the criminal justice system and, therefore, abused the process of law.

7. I have considered the rival submissions and have perused the record, including the chargesheet.

8. The record *prima facie* indicates, and now it is admitted, that there was previous enmity between the parties. In view of the fact that the crime committed by the Petitioner is not of heinous nature and the fact that the Petitioners are of very young age and considering the fact that the long enmity between the parties have been finally put to rest with the help of family, friends and community, I am inclined to therefore allow the Petition.

9. Even on merits, considering the material on record, *prima facie*, I find that the trial resulting in conviction may be of a very

remote chance. Particularly, when the parties have taken a stand to settle the matter.

10. In view thereof, the Petition is allowed in terms of prayer clause (A) which reads as follows:-

> *A. Allow the present Petition and consequently, quash and set aside FIR/Crime No. 5/2026 registered with Vasco Police Station, Charge Sheet No. 25/2026 dated 04.04.2026 and all consequential proceedings arising therefrom against the Petitioners herein;*

11. However, the Petitioners and the 3rd and 4th Respondents have misused the criminal justice system and therefore shall pay a cost of Rs.3,00,000/- (Rupees Three Lakhs only) to the Goa High Court Bar Association. The cost shall be paid within one week from today.

12. The Bank Details of the Goa High Court Bar Association are as follows:

Name:- The Goa High Court Bar Association
Bank:- Bank of India, Dempo House, Post Box No. 291, Campal, Panjim - Goa
Account No.:- 100710100010906

IFSC Code:- BKID0001020
MICR Code:- 40301300

13. The Petitioner's Advocate is directed to forward a copy of this order to the Goa High Court Bar Association, by e-mail, for their records.

14. The relief granted hereinabove shall become operative only after payment of costs.

15. The petition is disposed of in the above terms.

16. List for compliance on 09.10.2026.

AMIT S. JAMSANDEKAR, J.

Signed by: SHAKUNTALA ZALMI
Designation: Personal Assistant
Date: 07/10/2026 15:26:11