IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 816 OF 2026

Satish Namdev Chavan
Age- 65 yrs, Indian Inhabitant,
R/o- Mahagaon, Tal- Dist-Satara 415001 ... Petitioner
(Orig. Accused No. 6)

VERSUS

1. State of Maharashtra
(Through Satara City Police Station-415001)

2. Prakash Shankar Chavan
R/o-Mahagaon, Taluka, District-Satara- 415001. ... Respondents

...

Mr. Shailesh Chavan a/w Adv. Swarrali Chougule, Mr. Shivraj Dhanwade, Advocate for Petitioner.
Mr. Pankaj P. Deokar, APP for Respondent No. 1-State.
Mr. Sumit S. Vhanbatte, Advocate for Respondent No. 2.

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SHAILAJA SHRIKANT HALKUDE
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Date: 2026.11.06 17:05:57 +0530

CORAM : ABHAY J. MANTRI, J.
DATE : NOVEMBER 05, 2026

ORAL JUDGMENT :

1. **Rule.** Rule made returnable forthwith. Heard finally with the consent of the learned Advocates for the respective parties at the admission stage.

2. By this Petition, the Petitioner (Original Accused No. 6) has invoked Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (for short, *"BNSS"*), seeking quashing of the First Information Report bearing

C.R. No. 0672 of 2021 registered with Satara City Police Station, District-Satara (for short, the *"FIR"*), for the offences punishable under Sections 307, 392, 324, 143, 147, 148, and 149 of the Indian Penal Code, 1860 (for short, *"IPC"*), as well as the proceedings, i.e., Regular Criminal Case No. 427 of 2021, pending before the learned Judicial Magistrate First Class, Satara, arising out of the said FIR.

3. Learned Advocates for the Petitioner and Respondent No. 2 jointly submitted that the matter has been amicably settled between the Petitioner and Respondent No. 2/Complainant, out of Court, and, therefore, Respondent No. 2 does not want to proceed against the Petitioner. Accordingly, Respondent No. 2 has filed an affidavit consenting to the quashing of FIR No. 0672 of 2021 and the proceedings in RCC No. 427 of 2021, insofar as the Petitioner is concerned. They also submitted that the Petitioner and Respondent No. 2 are present in the Court. Therefore, they urge the Court to dispose of the Petition.

4. A perusal of the FIR indicates that the incident occurred on 7th July, 2021, between 7:30 a.m. and 8:00 a.m., near the village of Mahagaon, when the Petitioner, along with other accused persons, was holding weapons like a stick and other weapons, and assaulted Respondent No. 2 and caused injuries to him. Based on his report, the offence was registered vide FIR No. 0672 of 2021 for the offences punishable under the sections referred to

above. Hence, the Petitioner has preferred this Petition. During the pendency of the Petition, the police have filed a charge-sheet. Therefore, the Petitioner has amended the Petition to quash the proceedings pending against him pursuant to the said FIR.

5. It appears that during the pendency of the proceedings, the Petitioner and Respondent No. 2 have amicably settled the dispute. Accordingly, the Petitioner and Respondent No. 2 are present in Court today. Their respective Advocates have identified them. Respondent No. 2 admits the averments made in his affidavit dated 15th October, 2026. Respondent No. 2 has voluntarily consented to quash the FIR and the consequential proceedings pending against the Petitioner before the learned Magistrate. He reiterates the contents of the affidavit and submits that he has no objection to allowing the Petition or granting the relief as sought by the Petitioner. His statement is accepted.

6. During the arguments, learned APP had taken me through the injury certificate relating to the injuries sustained by Respondent No. 2 (page No. 97) and tried to point out that injury No. 2 denotes that Respondent No. 2 had sustained a grievous injury. He further submitted that the doctor, in the certificate, observed that the nature of injury No. 2 was grievous and, therefore, opposed the Petition.

7. The learned APP was asked to point out from the record whether Respondent No. 2 had sustained any fracture injury to his right knee, as the nature of the injury was mentioned as a contusion. However, he fairly submitted that no material was produced on record with the charge-sheet to show that Respondent No. 2 had sustained a grievous injury. Thus, although the Medical Officer has mentioned in the injury certificate that the nature of the injury is grievous, it does not *prima facie* attract the ingredients of Section 307 of the IPC in the absence of any other material on record to show that Respondent No. 2 sustained a fracture.

8. Thus, considering the above submissions of the learned Advocates for the Petitioner and Respondent No. 2 and the consent affidavit filed by Respondent No. 2, it seems that the matter has been settled between the Petitioner and Respondent No. 2, and, accordingly, Respondent No. 2 has no objection to quashing the FIR and the proceedings, insofar as the Petitioner is concerned.

9. Learned Advocate for the Petitioner has voluntarily expressed his willingness to deposit a cost of Rs. 10,000/- with the 'Bombay High Court, Kolhapur Bench Bar Association, Ad-hoc Committee, Kolhapur Bench (Circuit Bench)' for setting the criminal law in motion.

10. In the light of the above facts and the amicable settlement between the parties, in my view, continuation of the proceedings would

amount to an abuse of the process of law and would not serve the ends of justice. As such, this is a fit case to exercise this Court's inherent powers to secure the ends of justice.

11. In the result, ***the Petition is allowed in terms of prayer clauses (a) and (b)*** qua the Petitioner/Original Accused No. 6, subject to the deposit of costs of Rs. 10,000/- with the 'Bombay High Court, Kolhapur Bench Bar Association, Ad-hoc Committee, Kolhapur Bench (Circuit Bench)', within a period of two weeks from today, failing which this order shall stand vacated without further reference to the Court.

12. The Rule is made absolute in the above terms.

13. Inform the concerned Trial Court accordingly.

14. ***The Writ Petition stands disposed of.***

15. List the Petition on **26th November, 2026**, for noting compliance.

(ABHAY J. MANTRI, J.)