

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 4479 OF 2021

Mr.Lakhmendra Chamanlal Khurana
and another. ... Petitioners.
V/s.
The State of Maharashtra and another. ... Respondents.

Ms.Saeeda Shaikh i/b. T.R.Patel for the Petitioners.
Mr.Y.M.Nakhwa, APP for the Respondent- State.
Mr.S.R.Samel i/b. Rajeev Samant & Associate for Respondent No.2.

CORAM : NITIN JAMDAR AND
N.R. BORKAR, JJ.

DATE : 1 July 2022.

P.C. :

Heard the learned counsel for the parties.

2. The petition is filed for quashing the FIR No.48/2021 registered with Juhu Police Station for the offences punishable under sections 465, 467, 468, 471, 472, 420, 341 read with section 34 of the Indian Penal Code. The ground taken is that the Petitioners and the Respondent- Complainant have settled their disputes.

3. The learned APP points out that the FIR contains allegation that the Petitioners have forged the signatures of the

Government servants and have submitted false affidavit to get their name registered in the revenue records. Considering the nature of the offences alleged where the allegations are regarding tampering and manipulating the revenue records, the FIR cannot be quashed by consent of the Complainant.

4. The petition is only based on the consent of the Complainant. It is open to the Petitioners, if the Petitioners so intend, to file a petition in respect of quashing of the FIR on merits, which petition will be considered on its own merits.

5. Writ petition is disposed of accordingly.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)