



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2796 OF 2023

Nikash Senny Ahuja
Age 35 years, occ. Business

2. Raaj Yadav @ Laloo Gulab Yadav
Aged 31 years, occ. Service

3. Shantidevi Gulabchand Gaud
Age 51 years. Occ. Service

4. Seema Naresh Jadhav
Aged 26 years. Occ. Service

All Indian Inhabitants of Mumbai,
having office at Goldmine Co-operative
Credit Society Ltd., Flat No.609, 6th
Floor, Lodha Supremus, Tunga Village,
Saki Vihar Road, MTNL Office Powai,
Mumbai-400 072

.... Petitioners

Versus

1. Geeta Yash Shetty
Age about 41 years, residing
at Ram Mandir, Ajit Glass Garden,
Behari Compound, Next to P MHADA,
Jogeshwari (East), Mumbai-400 102

2. State of Maharashtra
(Through Powai Police
Station, Mumbai)

.... Respondents

Mr. Diwaker Dwivedi for the Petitioners.

Ms. Ridhima Mangaonkar i/b Vivek Pandey for Respondent No.1.

**CORAM : SMT. ANUJA PRABHUDESSAI AND
N.R. BORKAR, JJ.**

DATE : 29th SEPTEMBER 2023.

P.C. :

. This Petition under Article 226 of the Constitution of India is filed to quash an FIR No.203 of 2023 registered with Powai Police Station on 2 April 2023 for offences punishable under Sections 354, 325, 323, 509, 504, 506(2), 427, 143, 146, 147, 149, 107, 114 of Indian Penal Code.

2. Learned Counsel appearing for the Petitioners and Respondent No.1 states that there was civil dispute between the parties and that led to filing Short Cause Suit No.850 of 2023 before the City Civil Court, Mumbai. It is stated that the parties have settled the said dispute amicably and filed consent terms in the City Civil Court, Mumbai. A copy of the consent terms dated 24 April 2023 is placed on record. Perusal of clause 8 of the consent terms reveals that Respondent No.1 herein has given no objection to quash FIR No.203 of 2023. It is stated that cross FIR No.204 of 2023 has already been quashed and that Short Cause Suit No.850 of 2023 is also disposed as per the consent terms filed by the parties. Respondent No.1 herein has

filed her affidavit stating that she has no objection to quash FIR No.203 of 2023 in view of the amicable settlement arrived between the parties. Respondent No.1 herein is present before Court. She confirms the contents of the consent terms as well as statements made in her affidavit.

3 Considering the nature of dispute between the parties which is of private in nature, we are of the considered view that this is a fit case to exercise powers under Article 226 of the Constitution of India and quash FIR NO.203 of 2023, subject to payment of Rs.10,000/- (Rs. Ten thousand only) to be paid to Kirtikar Library within two weeks. Ordered accordingly.

4 The Writ Petition is disposed of in above terms.

5 List on 17 October 2023 for compliance.

(N.R. BORKAR, J.)

(SMT. ANUJA PRABHUDESSAI, J.)