

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 927 OF 2024

Karmvir Gangasingh Rajpurohit and Ors. ...Petitioners
Versus
State of Maharashtra and Anr. ...Respondents

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Mr.Jehangir Khajotia, Advocate for the Petitioners.

Ms. Rutuja Ambekar, APP for the Respondent – State.

Mr. Tejas K. Sanghrajka a/w Mr.Kayval P. Shah a/w Mr. Siddhali
Adhikari For Respondent No.2.

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**CORAM : PRAKASH D. NAIK, &
N. R. BORKAR, JJ.**

DATE : 20th MARCH, 2024.

P.C.:

1. Not on board. Taken on Board.
2. This petition is for quashing the FIR dated 11th January 2023 registered with Borivali Police Station vide C.R. No.0019 of 2023 for offences under Sections 406, 420 read with 34 of the Indian Penal Code, 1860.
3. The parties have settled the dispute. They have executed consent terms. The complainant has no objection for quashing the FIR. The complainant is present in the Court. He has filed consent for quashing the impugned FIR.

4. We have perused the consent terms as well as affidavit filed by complainant. The consent terms stipulates that the dispute between the parties has been settled amicably outside the Court. It is agreed between the parties that the amount of Rs.1 crore to be paid to the petitioners to Respondent No.2. Initially the amount of Rs.75 lakhs has been parted by petitioner No.1 on his behalf and on behalf of petitioner No.2 and 3 to respondent No.2. The balance amount of Rs. 25 lakhs has been handed over to Respondent No.2 by way of pay order. Consent terms executed by complainant is taken on record.

5. Since the parties have settled the dispute, considering the nature of dispute as reflected in the FIR, the impugned FIR can be quashed.

ORDER

- (i) Criminal Writ Petition No.927 of 2024 is allowed.
- (ii) The impugned FIR dated 11th January 2023 registered with Borivali Police Station vide C.R. No.0019 of 2023 is quashed and set aside against the petitioners.
- (iii) The petitioners shall pay the cost of Rs.15,000/- each to Advocates' Association of Western India Generation Next within a period of three weeks from today and submit the receipt of the

same in the Registry of this Court. The details of the Bank Account for payment of costs are as under:-

Account Name	: Advocates Association of Western India Generation Next
Account Number	: 000110110007807
Bank Name	: Bank of India
Branch Name	: Mumbai Main
IFSC Code	: BKID0000001

(iv) Learned Advocate Mr.Sanghrajka undertakes to file Vakalatnama within a period of one week.

(v) Writ Petition stands disposed off.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)