

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3446 OF 2023

Siddharth Shrikant Todankar

Petitioner

versus

The State of Maharashtra and another

Respondents

Mr.Akshay Deshmukh with Sanket Kadam, Advocate for Petitioner.

Mr.Krunal A Deshmukh, Respondent no.2 present.

Mrs.Rutuja Ambekar, APP, for State.

PSI Shankar Mahadik, Kapurbawdi Police Station, present.

CORAM : PRAKASH D. NAIK AND
N.R.BORKAR, JJ.

DATE : 4th April 2024

PC :

1. Petitioner is arraigned as accused in C.R No.290 of 2023 registered with Kapurbawadi Police Station for offences u/s.406, 420 r/w 34 of Indian Penal Code.

2. The complainant had alleged that he came to know about franchise in which he invested through his neighbour who had invested in the franchise and received good returns. The complainant made inquiries with other investors and invested in the franchise. His brother and cousins also invested money. Subsequently accused no.1 stopped contacting the complainant. Hence he lodged the FIR.

3. Petitioner was arrested and released on bail.

4. Learned advocate for Petitioner submitted that complainant is present in the Court and he has no objection for quashing the FIR

against Petitioner. Petitioner has not played any role in the alleged crime.

5. The complainant/Respondent no.2 is present in the Court. He is identified by the Investigating Officer. He has filed the affidavit stating that he has no objection for quashing the proceedings. He has received the entire invested amount of Rs.12,00,000/- and do not have objection for quashing the proceedings against Petitioner. The affidavit is taken on record.

6. Considering the aforesaid circumstances and since the parties have resolved the dispute and as the complainant has consented for quashing the proceedings against Petitioner, the FIR can be quashed.

ORDER

- (i) Writ Petition is allowed and disposed off;
- (ii) The FIR No.290 of 2023 registered with Kapurbawadi Police Station is quashed and set aside qua Petitioner;
- (iii) The proceedings shall continue against other Petitioners;
- (iv) Petitioner shall pay cost of Rs.15,000/- within two weeks from today to Mumbai Police Welfare Fund and submit receipt of payment in the Registry within one week thereafter. The bank account details are as follows :

Bank name : Axis Bank
Account No. : 465010100008693
IFSC Code : UTIB0000465
- (v) List the petition for reporting compliance after four weeks.

(N.R.BORKAR, J.)

(PRAKASH D. NAIK, J.)