

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

CRIMINAL WRIT PETITION NO. 913 OF 2024

Ramesh Piraji Awasarmal ...Petitioner
Versus
State Of Maharashtra And Anr. ...Respondents

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Mr. Advait Shukla, Advocate for the Petitioner.

Mr. A.S. Shalgaonkar, APP for the Respondent – State.

Ms. Priyanka Chavan, Advocate for Respondent No.2.

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

DATE : 19th MARCH, 2024.

P.C.:

1. Not on board. Taken on board.
2. The Petitioner and Respondent No.2 are seeking quashment of First Information Report dated 12th February, 2023 registered with Kharghar Police Station vide C.R. No.69 of 2023 for offence under Sections 420 and 406 of Indian Penal Code.
3. The dispute relates to the payment towards booking of flat by the complainant with the Accused. During the pendency of application for anticipatory bail, the parties have resolved the dispute. Consent terms were filed before this Court.

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4. As per consent terms the Petitioner/Accused had agreed to return the amount of Rs.26,00,000/- to the complainant. In view of settlement, the amount of Rs.26,00,000/- has been already paid to the complainant and subsequently the amount of Rs.1,00,000/- has been given at the time of filing of affidavit of consent. This fact is not disputed by the complainant. The complainant is present in the Court. He has no objection for quashing the FIR. Affidavit filed by the complainant indicates that there is settlement and he has no objection for quashing the FIR.

5. Considering the aforesaid circumstances, the impugned FIR can be quashed.

ORDER

- i. Criminal Writ Petition No.913 of 2024 is allowed;
- ii. The First Information Report dated 12th February, 2023 registered with Kharghar Police Station vide C.R. No.69 of 2023 is quashed and set aside.
- iii. The Petitioner shall pay cost of Rs.20,000/- to the Advocates Association of Western India Generation Next within a period of three weeks from today. The Account details are as under:

Account Name : Advocates Association of Western
India Generation Next

A/c No. : 000110110007807

Bank Name : Bank of India

Branch Name : Mumbai Main

IFSC Code : BKID0000001

iv. Petitions stand disposed off accordingly.

(N. R. BORKAR, J.)

(PRAKASH D. NAIK, J.)