



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2990 OF 2024

Meghnath Laskhman Hada Alias Hanra & Ors.Petitioners

Vs.

The State of Maharashtra & Anr.

.....Respondents

Mr. Siddharth Singh i/b Mr. Himanshu S. Thakur for Petitioners.

Mr. Ashish I. Satpute, APP, for Respondent No.1-State.

Ms. Swati Singh, for Respondent No.2.

CORAM : SARANG V. KOTWAL AND

DR. NEELA GOKHALE, JJ.

DATE : 24th OCTOBER 2024.

P.C.:-

1) This Writ Petition is for quashing of the offence registered vide C.R.No.306 of 2023 at Chiplun Police Station, Ratnagiri dated 11th November 2023 under Section 420 of the Indian penal Code.

2) Heard Mr. Siddharth Singh, learned counsel for the Petitioner and Mr. Satpute, learned APP for Respondent-State. Ms. Swati Singh, learned counsel appears and states that she has instructions to appear for Respondent No.2, i.e., First Informant. She undertakes to file her *vakalatnama* within a period of four weeks from today.

3) The F.I.R. is lodged by the Informant. He has stated that he has a jewellery shop at Chiplun. He is in the business of purchasing and selling gold. He was in contact with the Petitioner No.1 Meghnath during his business transactions. He used to purchase gold from Petitioner No.1. since the year 2020-21. They were on good terms. The Petitioner No.1 suggested to the Informant that he would introduce him to a bigger jeweller and therefore, introduced him to Petitioner No.3. The F.I.R. then gives details of the amount which the Informant paid to the Petitioner No.1 Meghnath, Petitioner No.3 Kamlesh and Petitioner No.1's brother Vishwajeet on different occasions. In all he had paid Rs.25,00,000/- for purchasing 500 gm. of gold. In spite of this payment, neither the gold was given to him nor the money was refunded and therefore he lodged the F.I.R.

4) The name of the Petitioner No.2 was not mentioned in the F.I.R., however, he was issued a notice by the Investigating Agency. Therefore, he was also apprehending that he was an accused in this case. All the Petitioners approached the respective Courts for getting anticipatory bail. As of today, all are under the protection of anticipatory bail order. The investigation is still going on. In the meantime, the parties have settled their dispute.

5) The Respondent No.2 is present in Court. He has filed his Affidavit giving no objection. Learned counsel for the Informant as well as the learned counsel for the Petitioners both identified the Informant in the Court. He has stated in the Affidavit that the matter is settled between the parties and he has no objection for quashing of the F.I.R. as the dispute between the parties is purely commercial dispute. The matter is settled between the parties. The Informant has no objection for quashing of the F.I.R. Therefore, the Petition can be allowed. Hence, the following order:

ORDER

- (i) The F.I.R. registered vide C.R.No.306 of 2023 at Chiplun Police Station, Ratnagiri dated 11th November 2023 under Section 420 of the Indian penal Code and the further proceedings arising therefrom are quashed and set aside.
- (ii) The Writ Petition is disposed of.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)