



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3355 OF 2024

1. Janabai Narayan Belikar,
Age-60 Yrs, Housewife,
R/o. Room No.13, Shanti Krupa Bldg.
Ganesh Nagar, Shivaji Path No.2,
Dombivli (W), Tal: Kalyan,
Dist: Thane.

2. Pradeep Mahadu Joshi,
Age: 55 years, Occu: Builder,
R/at Gauru Niwas, Navapada,
Subhash cross Road, Dombivli (W),
Tal: Kalyan, Dist: Thane

.....Petitioners

Vs.

1. State of Maharashtra,
At the instance of Sr. Inspector of Police,
Vishnu Nagar Police Station, Dombivli.

2. Asha Yashvant Patil,
Age 57 years, Occu: Housewife,
R/at Room No.13, Shanti Krupa Bldg.,
Ganesh Nagar, Shivaji Path No.2,
Dombivli (W), Tal: Kalyan, Dist.Thane.

.....Respondents

Mr. Hrishikesh Pawaskar, for the Petitioners.

Smt. Madhavi H. Mhatre, APP, for Respondent No.1-State.

Mr. Rohit Shevate, for Respondent No.2.

Mr. Anil M. Shinkar, PSI, Vishnunagar Police Station, Dombivili West
present.

CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.

DATE : 30th AUGUST, 2024.

P. C.:

1) Petitioners seek quashing of C.R.No.421 of 2023 dated 22nd

December 2023 registered with Vishnu Nagar Police Station, Thane for the offenses punishable under sections 420, 465, 468, 471, 199 and 200 read with 34 of the Indian Penal Code ('I.P.C.'). Ms. Mhatre states that, the charge sheet has not been filed as yet. We accept the said statements.

2) Petitioner No.1 and the Respondent No. 2 are sisters. Petitioner No.2 is a Builder. The dispute between the parties arose out of certain property matters and allegations of fabricating a Death Certificate of brother of the Respondent No.2 in connivance with the Petitioners *inter se*.

3) Mr. Hrishikesh Pawaskar, learned counsel appears for the Petitioners and Mr. Rohit Shevate, learned counsel appears for the Respondent No.2. Smt. Madhavi H. Mhatre, learned APP represents the State.

4) The parties are inclined to settle the dispute amicably. Respondent No.2 has filed an Affidavit dated 11th June 2024 duly affirmed before Notary Public. In Paragraph No. 11 thereof, she has given her no objection to quash the subject FIR. Respondent No. 2 states that, the dispute between the parties has been settled amicably.

5) Respondent No.2 is present before the Court and through her counsel reiterates the statements made in the Affidavit.

6) In view of the circumstances and the Consent Affidavit filed by Respondent No.2, C.R.No.421 of 2023 dated 22nd December 2023 registered with Vishnu Nagar Police Station, Thane for the offenses punishable under

sections 420, 465, 468, 471, 199 and 200 read with 34 of the Indian Penal Code is quashed and set aside.

7) The Petition is accordingly allowed in terms of prayer clause(a).

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)