

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

CRIMINAL APPLICATION NO.1654 OF 2024

Nirmal Lalchand DheraApplicant
Versus
The State of Maharashtra
and anotherRespondents

Mr. Sushrut Jadhwar, Advocate for the Applicant.
Smt. Anamika Malhotra, APP for the Respondent No.1-State.
Mr. Pradeep Avhad, Advocate for the Respondent No.2.

**CORAM : SARANG V. KOTWAL &
DR.NEELA GOKHALE, JJ.**

DATE : 16th DECEMBER, 2024

P.C. :

1. This is an Application for quashing of the FIR registered vide C.R. No.I-375/2020 at Ulhasnagar police Station under Sections 420, 406 and 506 of IPC. The investigation is going on and the charge-sheet is not yet filed.

2. The FIR is lodged by the Respondent No.2 herein. He has stated that he was knowing the present Applicant since

past twenty-five years. The Applicant has a shop near the shop of the first informant. The Applicant is in the business of making gold rings. The informant had transacted business with the Respondent No.2 for many years. The informant used to give pure gold to the Applicant for making gold-rings. The subject matter of the FIR is the transaction dated 13.3.2020. On that day, at about 10 p.m., the informant approached the Applicant and told him that the informant had 16 gold biscuits of 99.50 purity and that he wanted the Applicant to make gents and ladies gold-rings for sale. The informant asked the Applicant to collect the gold from the informant's shop on the next day. Accordingly the Applicant came to the informant's shop on 14.3.2020 at 1.30 p.m.. The informant gave him 16 gold biscuits weighing 1600 grams of 99.50 purity. The informant told the Applicant to give gold-rings by 17.3.2020. After that the rings were not given and the gold was not returned. On 17.3.2020, the informant approached the Applicant's family. At that time the Applicant's brother Chandar told him that there was some family dispute and that

they would be unable to return his gold and that they would not give rings to him and they showed willingness to give some lesser gold but it was not acceptable to the informant. On this basis, the FIR was lodged.

3. Now the parties have settled the matter amicably. The informant has received 411 grams of gold and he is satisfied with the arrangement. He has no objection for quashing of this FIR. The informant is present in the Court. He is identified by his learned Counsel. The first informant has filed an affidavit giving no objection.

4. The informant stated before the Court that he has no objection for quashing of the present proceedings. He has received 411 grams of gold and he was satisfied with the same.

5. Considering that it is purely a private commercial dispute between the two individuals, the society at large is not involved, there is no impediment in allowing this Application.

6. Hence, the following order:

:: O R D E R ::

- i. The FIR registered vide C.R. No.I-375/2020 at Ulhasnagar police Station, District – Thane, is quashed and set aside.
- ii. The Application is disposed of accordingly.

(DR.NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)