



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

970 CRIMINAL APPLICATION NO.4271 OF 2025

Vijay Chhaganrao Kumavat

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. S.S. Chapalgaonkar

APP for Respondents : Mr. R.B. Dhaware

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAOKAR, JJ.

Dated : November 27, 2025

ORDER :-

1. Present application has been filed for quashing and setting aside the FIR vide Crime No.641 of 2025, dated 9.6.2025 registered with Shirdi Police Station, Tq. Rahata, District Ahilyanagar for the offences punishable under sections 316 (2), 318(4), 340(2), 336 (2) of Bhartiya Nyaya Sanhita, 2023.

2. Learned advocate for the applicant has taken us through the entire FIR and submits that, the transaction which is alleged to have been entered into is in respect of the property belonging to the applicant. It is stated to be a Notarized document and FIR also states about periodical payments those were allegedly made by the informant and, then it is stated

that the applicant had refused to execute the sale-deed. This unequivocally establishes the civil nature of the transaction and the remedy available is only by way of the civil proceeding.

3. The contents of the FIR though discloses execution of agreement to sale, which is stated to be notarized, yet it is also stated that certain facts, which ought to have been disclosed were not disclosed. Thereafter, from time to time, now the amounts were required to be given by the informant to the applicant have also been stated in the FIR and, therefore, we do not agree with the submissions that the transaction, which is purely civil in nature, has been floated with the criminal action. Certainly, investigation is necessary, which is still going on and, therefore, this is not a fit case where we should exercise our powers under section 528 of the Bhartiya Nyaya Sanhita, 2023. Application stands **rejected**.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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