



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 112 OF 2025

1. Devyani Pradeep Nadkarni)
Alias Devyani Baldev Sailopal)
Aged 59 years, Occ. Teacher,)
Indian Inhabitant, residing at B-54,)
Meherzin, Wodehouse Road,)
Colaba, Mumbai – 400 005.) ..Petitioner No.1
(Org. Accused No.1)
2. Rehan Khurshid Shaikh)
Aged 46 years, Occ. Service,)
Indian Inhabitant, residing at Flat)
No.207, Emerald C Wing, Vasant)
Oasis OTE CHS, Block Sector,)
Marol, Makwana Road, Andheri)
East, Mumbai 400 059.) ..Petitioner No.2
(Org. Accused No.2)

Vs.

1. The State Of Maharashtra)
(at the instance of N. M. Joshi)
Marg Police Station)) ..Respondent No.1
2. Malvika Anand Iyer,)
Aged 35 years, Occ. Professional,)
Indian Inhabitant, residing at 6-A,)
Kennaway House, Proctor Road,)
Mumbai 400 004.) ..Respondent No.2
(Org. Complainant)

Mr. Parvez Memon a/w. Mr. Mahesh Ahire for Petitioners.

Shri Yogesh M. Nakhwa, APP for Respondent No.1-State.

Mr. Akash Agarwal for Respondent No.2.

Ms. Minal Ubale, WPSI, N. M. Joshi Marg Police Station, Mumbai.

CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.
DATE : 30th JUNE, 2025.

ORDER (Per : A. S. Gadkari, J.):

1) Present Petition is filed under Article 226 of Constitution of India for quashing of C.R. No. 54 of 2024, dated 15th January 2024, registered with N. M. Joshi Marg Police Station, Mumbai, under Section 403, 406, 409, 415, 417, 418, 420, 467, 468, 471 read with 120-B and 34 of the Indian Penal Code with the consent of Respondent No.2, the informant.

1.1) Petitioner No.1 is the mother of Respondent No.2. Petitioner No.2 is a share broker.

1.2) Learned Advocates for respective parties on instructions submitted that, till date the police have not filed charge-sheet. The said statement is accepted.

2) Heard Mr. Parvez Memon, learned Advocate appearing for Petitioners, Shri Yogesh M. Nakhwa, learned APP appearing for Respondent No.1-State and Mr. Akash Agarwal, learned Advocate appearing for Respondent No.2. Perused entire record produced before us.

3) Mr. Memon, learned Advocate for the Petitioners submitted that, the Petitioners and Respondent No.2 have settled their disputes and differences amicably and Petitioner No.1 has returned the said amount of Rs.7,00,00,000/- to Respondent No.2. That, Respondent No.2 has now

agreed to give her consent for quashing of the said crime.

4) Mr. Agarwal, learned Advocate for Respondent No.2 tendered across the Bar her Affidavit dated 30th June 2025, duly affirmed by the Assistant Registrar of this Court. It is stated therein that, after lodgment of present crime, Petitioners and Respondent No.2 had discussions to amicably resolve their ongoing disputes and have reached to amicable settlement. In Paragraph No.3 thereof, Respondent No.2 has stated that, she has received an amount of Rs. 7,00,00,000/- towards settlement. In Paragraph No.4 thereof, she has given her no objection for quashing of present crime in question.

4.1) Respondent No.2 is personally present in the Court and through her Advocate, she reiterated the contents of her Affidavit dated 30th June 2025 and gives her 'No Objection' for quashing of the crime in question.

5) In view of the above, we are inclined to quash C.R. No. 54 of 2024, dated 15th January 2024, registered with N. M. Joshi Marg Police Station, Mumbai.

6) As we expressed our opinion for quashing of C.R. No. 54 of 2024, dated 15th January 2024, registered with N. M. Joshi Marg Police Station, Mumbai, Mr. Memon, learned Advocate for the Petitioners submitted that, the Petitioner No.1 will pay a cost of Rs.2,50,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy & Research

Center, within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

7.1) As Respondent No.2 is successful in recovering an amount of Rs.7,00,00,000/- from the Petitioner No.1, by lodgment of said FIR, learned Advocate for Respondent No.2, on instructions submitted that, Respondent No.2 will also pay a cost of Rs.5,00,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy & Research Center, within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

7.2) Details of the bank account of payment of cost are as under :-

Account Name	:	BCMG'S ADVOCATE ACADEMY & RESEARCH CENTER
Account Number	:	000120110001327
Bank Name	:	Bank of India
Branch Name	:	Mumbai Main Branch
IFS Code	:	BKID0000001
Type of Account	:	Current Account

8) Petitioner No.1 and Respondent No.2 to pay the said cost of Rs.2,50,000/- and Rs.5,00,000/- respectively, within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

9) In view of the above and subject to payment of cost by both the

Petitioner No.1 and Respondent No.2 within stipulated period as noted above, Petition is allowed in terms of prayer clause (a).

10) It is made clear that, if the cost is not paid within stipulated period as mentioned above, Petition shall stand revived automatically and in that event, the Investigating Officer will investigate the present crime expeditiously.

11) List the Petition on board on 14th August 2025, under the caption 'For Reporting Compliance' of present Judgment.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)