

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 2221 OF 2024**

Milind Mahendra Ruparel & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Mohammed Hussain Ansari for Petitioners.
Mr. Vinod Chate, A.P.P. for Respondent No.1-State.
Mr. Tukaram Shendge i/b Mr. Milind Deshmukh for Respondent No.2.
Sr.P.I. Kewale and P.I. Awale, Chembur Police Station, Mumbai, present.

**CORAM : A. S. GADKARI AND
 RANJITSINHA RAJA BHONSALE, JJ.**
DATE : 3rd September 2025.

P.C. :

1) By this Petition under Article 226 of the Constitution of India, Petitioners, accused in C.R. No. 0543 of 2023, dated 11th September 2023, registered with Chembur Police Station, Mumbai, punishable under Section 406, 420, 465, 466, 467, 471 and 120-B read with Section 34 of the Indian penal Code (IPC), are seeking quashing of the said crime, with the consent of Respondent No.2, the informant.

2) Mr. Ansari, learned Advocate for the Petitioners submitted that, by an Order dated 2nd August 2024, ad-interim relief in terms of prayer

clause (d) was granted by this Court and therefore till date, the police have not filed charge-sheet.

3) Learned Advocate for the Petitioners submitted that, during the pendency of Petition, the Petitioners and Respondent No.2 have settled their disputes and differences amicably and the Respondent No.2 is now giving his consent for quashing of the crime in question. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2.

4) Mr. Shendge, learned Advocate for Respondent No.2 tendered across the bar his Affidavit dated 26th June 2025, duly affirmed before Assistant Registrar of this Court. The fact of amicable settlement between the parties is admitted therein. It is stated that, Respondent No.2 has received a total sum of Rs.2,01,00,000/- towards full and final settlement from the Petitioners. In para No. 6 thereof, the Respondent No.2 has given his consent and no objection for quashing of the present crime in question.

4.1) Though, the Respondent No.2 is not personally present in the Court, Mr. Shendge, learned Advocate for Respondent No.2 on instructions submitted that, Respondent No.2 has given him authority to admit the contents of his Affidavit dated 26th June 2025 and to give his 'No Objection' for quashing of the crime in question.

5) In view of the above, we are inclined to quash C.R. No. 0543 of 2023, dated 11th September 2023, registered with Chembur Police Station, Mumbai, punishable under Section 406, 420, 465, 466, 467, 471 and 120-B

read with Section 34 of the IPC.

6) As we expressed our opinion for quashing of the said rime, Mr. Ansari, learned Advocate for the Petitioners on instructions submitted that, for quashing of the said crime, the Petitioners will voluntarily pay a cost of Rs. 1,00,000/- each, totalling to Rs. 5,00,000/- jointly or severally to the 'Armed Forces Battle Casualties Welfare Fund' (AFBCWF) within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

6.1) We therefore direct the Petitioners to pay a cost of Rs.1,00,000/- each, totalling to Rs. 5,00,000/- jointly or severally to the 'Armed Forces Battle Casualties Welfare Fund' (AFBCWF) within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay.

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

Account Name	:-	Armed Forces Battle Casualties Welfare Fund (AFBCWF)
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank Ltd. DoD, South Block
IFSC Code	:-	CNRB0019055.

6.3) Petitioners to pay aforesaid cost within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

7) In view of above and subject to payment of cost, Petition is

allowed in terms of prayer clause (b).

8) 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, Investigating Agency will complete the investigation of present crime expeditiously.

9) List the Petition on board on 1st October 2025, under the caption 'For Reporting Compliance' of present Order.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)