

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

CRIMINAL WRIT PETITION NO.2539 OF 2025

Ashok Lalchand Goyal, R/o. Malad (East), Mumbai.	]	
	]	.. Petitioner
<i>Versus</i>		
1. The State of Maharashtra, Through Pant Nagar Police Station	]	
2. Pratik Suresh Sanghvi, R/o. Ghatkopar (East), Mumbai	]	
	]	.. Respondents

Mr. Mukesh Pabari, Advocate for the Petitioner.
Mr. J.P. Yagnik, Additional Public Prosecutor for Respondent No.1.
Mr. Saakshat Relekar, Advocate for Respondent No.2.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 15TH OCTOBER 2025.

Per Gautam A. Ankhad, J.

The Petitioner has filed the present Criminal Writ Petition under Article 227 of the Constitution of India and section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No. 06 of 2009 registered with Pant Nagar Police Station dated 09th September, 2009 under sections 406, 420, 467, 468, 471, 504, 506, 120 B and 34 of the Indian Penal Code, 1860.

2. There is a dispute relating to purchase of land between the parties under an agreement dated 09th May, 2007 wherein the respondent no.2 would act as a land aggregator for the petitioner. There are several litigations between the parties including complaints under section 138 of the Negotiable Instruments Act, 1881 and Criminal Appeals being Appeal Nos. 616/2023, 617/2023 and 618/2023 before the Sessions Court, Mumbai.

3. The parties have executed Consent Terms dated 15th October 2025 wherein at paragraph no. 6 it is recorded that the respondent no.2 has agreed to put an end to all litigations including both civil and criminal proceedings against each other and the disputes under the present FIR. It also records the respondent no.2's consent to the quashing of the FIR and any proceedings arising therefrom. Mr. Relekar, the learned counsel for the respondent no.2 reiterates his client's no objection to the unconditional withdrawal of litigations and quashing of FIR. The said affidavit is hereby taken on record and marked as "X" for identification.

4. Since the disputes between the petitioner and the respondent no.2 have now been amicably resolved, as per the law laid down by the Hon'ble Supreme Court in the case of "*Nikhil Merchant v. CBI, (2008) 9 SCC 677*", the Court is well empowered to quash and set aside criminal proceedings to prevent miscarriage of justice, particularly in light of civil disputes that are disguised as criminal proceedings. In view of the above, Writ Petition No.2539 of 2025 is allowed in terms of prayer clause (a) and is disposed of accordingly.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]