

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

Criminal Writ Petition No.3327 of 2024

Pradeep Suresh Jodhani and anr. ... Petitioners
V/s.
State of Maharashtra and anr. ... Respondents.

Ms. Minal Chandnani for the Petitioners.

Mr. Rajesh Ranglani for the Respondent No.2.
Mr. B.V. Holambe-Patil, APP for the State.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 2nd May 2025.

P.C.:

This is a petition for quashing of the proceedings arising out of C.R. No.339/2024 registered with Vithalwadi police station on 26th May 2024 under Sections 420 and 34 of Indian Penal Code. The FIR is lodged by the Respondent No.2. She is the mother of the Petitioner No.1. The Petitioner No.2 is wife of the Petitioner No.1.

2. The allegations in the FIR are that the informant's elder son Amit had passed away. She had got Rs.8,75,978/- from LIC. She had deposited that amount in a joint Bank account held with the Petitioner No.1. The allegations are that in the month of December 2021, the Petitioner No.1 took the informant to the Bank

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and obtained her signatures on some forms. Later on, she realised that the Petitioner No.1 had withdrawn Rs.8,00,000/- from their joint account and had used it for purchasing a flat. This was done without her knowledge and consent. On these allegations the FIR is lodged.

3. The parties are closely related. The informant is mother of the Petitioner No.1. They have settled their dispute. The Respondent No.2 has filed her affidavit wherein this fact is noted. She has given her specific no objection for quashing.

4. The Respondent No.2 is present before the Court. She is identified by her learned Counsel. The learned Counsel for the Petitioner has produced copy of the charge-sheet before the Court. The charge-sheet contains statements of the informant's daughter and other witnesses. The main grievance is made by the informant in that FIR. The informant stated before the Court that she has no objection for quashing of the proceedings. She has received back her amount of Rs.8,00,000/- and she has no objection for quashing of the proceedings.

5. Considering the close relationship, consent given by the first informant and refund of money by the Petitioner No.1, we are inclined to allow this petition. The Society at large is not involved. The informant is satisfied with the arrangement. She has given her no objection. Hence, we pass the following order:

ORDER

- (i) The Writ Petition is allowed.
- (ii) The F.I.R. registered vide C.R. No.339/2024 with Vithalwadi Police Station, Dist. Thane under Sections 420 and 34 of the IPC and the consequent proceedings arising therefrom are hereby quashed and set aside.
6. The Writ Petition stands disposed of accordingly.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)