

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3837 OF 2024**

Uma Suriyanarayanan & Ors.

... Petitioners

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr. Sanjeev Kadam, senior Advocate a/w Mr. Prakash Pandya, Adv. Vidhi Mehta, Ms. Varsha Thorat and Mr. Sachin S. Gite i/b Prakash Pandya for Petitioners.

Mr. Ashish I. Satpute, A.P.P. for Respondent No.1-State.

Dr. Kshitija Wadatkar a/w Adv. Saransh D.S for Respondent No.2.

CORAM : A. S. GADKARI AND**RAJESH S. PATIL, JJ.****DATE : 22nd July 2025.****PC. :**

1) Petitioners, accused in Crime No. 0469 of 2024, dated 15th July 2024, registered with Ambad Police Station, Nashik City, punishable under Sections 316(2), 318(3), 318(4) and 356(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS), have filed this Petition under Article 226 of the Constitution of India, for quashing of the said crime with the consent of Respondent No.2, the informant.

2) Mr. Kadam, learned senior counsel appearing for the Petitioners on instructions submitted that, till date, the police have not filed charge-sheet in the present case. The said statement is accepted.

2.1) Mr. Kadam, learned senior counsel for the Petitioners further

submitted that, Petition was initially filed for quashing of the said crime on merits, however in the interregnum, the parties herein have decided to resolve their disputes and differences amicably and have accordingly executed Consent Terms dated 25th March 2025. Mr. Kadam, learned senior counsel for Petitioners submitted that, the Petitioners and Respondent No.2 are family members and are closely related to each others. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2.

3) Ms. Wadatkar, learned Advocate appearing for Respondent No.2 conceded to the fact of amicable settlement between the parties and execution of Consent Terms dated 25th March 2025. She tendered across the bar an Affidavit of Respondent No.2, dated 25th March 2025, duly affirmed before a Notary Public. To the said Affidavit, Memorandum of Understanding (MOU) dated 29th October 2024 and Consent Terms dated 25th March 2025, are annexed as Exhibits (A) and (C) respectively. In the said Affidavit, Respondent No.2 has admitted the fact of amicable settlement and resolvment of the disputes fully and finally. In para No. 3 thereof, Respondent No.2 has given no objection and irrevocable consent for quashing of the present crime.

3.1) Respondent No.2 is attending the Court proceedings through Video Conferencing facility and through his Advocate reiterates the contents of his Affidavit dated 25th March 2025 and his 'No Objection' for quashing of the crime in question.

4) In view of the above, we are inclined to quash Crime No. 0469 of

2024, dated 15th July 2024, punishable under Sections 316(2), 318(3), 318(4) and 356(2) of the BNS.

5) As we expressed our opinion for quashing of said crime, Mr. Kadam, learned learned senior counsel for Petitioners on instructions submitted that, for quashing of the said crime, the Petitioners will pay a cost of Rs.1,00,000/- each, totalling to Rs. 3,00,000/- jointly or severally, to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, 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. The said statement is accepted as an undertaking given to this Court.

6) As the Respondent No.2 is successful in bringing the Petitioners for having a dialogue across the table by lodgement of present crime, Ms. Wadatkar, learned Advocate for Respondent No.2 on instructions submitted that, Respondent No.2 will also pay a cost of Rs. 2,00,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, 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. 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. 3,00,000/- jointly or severally and Respondent No.2 to pay a cost of Rs. 2,00,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, 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	:-	BCMG'S Advocate Academy & Research Center
Account Number	:-	000120110001327
Bank Name	:-	Bank of India
Branch Name	:-	Mumbai Main
IFSC Code	:-	BKID00000001
Type of Account	:-	Current A/c

6.3) Subject to payment of aforesaid cost by the Petitioners and Respondent No.2 to the concerned Authority within stipulated period as noted above, Petition is allowed and the FIR No. 0469 of 2024, dated 15th July 2024, registered with Ambad Police Station, Nashik City, is hereby quashed.

7) Petition is allowed in the aforesaid terms.

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, the investigating agency will complete the investigation expeditiously.

9) List the Petition on board on 26th August 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)