

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

WRIT PETITION NO.4619 OF 2024

1. Pravinkumar Manakchand Agarwal,
Age: 39, Occupation: Business,
Residing At: Niharika, A Wing,
Hiranandani Meadows-5, Thane,
Maharashtra.

2. Sonal Pravinkumar Agarwal,
Age: 34, Occupation: Home Maker,
Residing At: Niharika, A Wing,
Hiranandani Meadows-5, Thane,
Maharashtra.

... Petitioners

Versus

1. The State of Maharashtra
(Being CR No.737/2024
Registered with Chitalsar PS Thane).

2. Vaibhav Deepak Bhargav,
Age: 43 Years, Occupation: Business,
Residing At: 7/48, Tilak Nagar,
Kanpur Nagar, Uttar Pradesh.

... Respondents

Mr. Tapan Thatte for the Petitioners

Mrs. Kranti T. Hiwrale, A.P.P for the Respondent No.1-State

Ms. Sonali Dalvi a/w Mr. Abhilesh Chitre for the Respondent
No. 2

API Mr. Sharad Patil from Crime Branch, Unit-5, Wagle Estate,
Thane, is present

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
THURSDAY, 6th NOVEMBER 2025**

ORAL JUDGMENT (Per Revati Mohite Dere, J.) :

1 Heard learned counsel for the parties.

2 Rule. Rule is made returnable forthwith, with the consent of the parties and is taken up for final disposal. Learned A.P.P waives notice on behalf of the respondent No.1–State. Ms. Dalvi waives notice on behalf of the respondent No.2.

3 By this petition, the petitioners seek quashing of the FIR registered vide C.R. No.737/2024 with the Chithalsar Police Station, Thane, for the alleged offences punishable under Sections 420, 406 r/w 34 of the Indian Penal Code, 1860.

4 Learned counsel for the petitioners states that the respondent No.2 (original complainant) had filed a case under

Section 138 of the Negotiable Instruments Act in Kanpur Nagar, Uttar Pradesh and the aforesaid FIR in Thane alleging the aforesaid offence. He submits that in the 138 case, the petitioner No.1 and his company-R.J. Adventures and Reality Pvt. Ltd. were convicted for the offence punishable under Section 138 of the Negotiable Instruments Act. He submits that the said conviction was confirmed by the Sessions Court and that the said conviction confirmed by the Sessions Court is challenged before the High Court. He submits that in the High Court, the parties amicably settled their dispute by entering into Consent Terms and that the Allahabad High Court vide order dated 4th August 2025, has stayed the conviction.

5 Learned counsel for the respondent No.2 has tendered an affidavit-in-reply of the said respondent, duly notarized before the Notary. The said affidavit dated 6th November 2025 is on record. To the affidavit, are annexed the Memorandum of Understanding / Consent Terms entered into

between the petitioner and the respondent No.2 dated 4th August 2025 as well as the order passed by the Allahabad High Court staying the petitioner's conviction.

6 We have heard learned counsel for the parties. From the affidavit filed by the respondent No.2, it appears that the parties have decided to amicably settle the dispute pursuant to which Consent Terms were entered into between the parties. The respondent No.2 in the said affidavit has given his consent to the quashing of the FIR instituted not only against the petitioners but even against the others. Admittedly, no charge-sheet has been filed in the said case, till date.

7 The respondent No. 2 is present in Court. On being questioned, he re-iterates the contents of the affidavit. He states that he has no objection if the FIR is quashed against all the aforesaid accused. Respondent No.2 is identified by his counsel. Learned counsel has tendered a self attested photocopy of the driving licence of the respondent No.2. The same is taken on

record. Learned APP has verified the original driving licence of the respondent No.2.

8 Considering the nature of dispute, the amicable settlement between the the parties, the affidavit of the respondent No.2, and the judicial pronouncements in this regard, there is no impediment in allowing the petition.

9 The petition is accordingly allowed and the FIR bearing C.R. No.737 of 2024 with the Chithalsar Police Station, Thane, for the alleged offences punishable under sections 420, 406 r/w 34 of the Indian Penal Code, 1860, is quashed and set-aside, as against all the accused.

10 Rule is made absolute in the aforesaid terms. Petition is disposed of accordingly.

11 The petitioners to deposit cost of Rs.1,00,000/- and the respondent No.2 to deposit cost of Rs.50,000/-, with the

Maharashtra Centre Police Welfare Fund bearing Account No. 914010029005759, Axis Bank, IFSC No. UTIB0000060. The said costs to be deposited within two weeks from today.

12 Stand over to **21st November 2025**, for recording compliance of the said deposit of costs.

13 All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.