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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 6006 OF 2024****Wadhwa Group Holdings Private Limited
& Anr.****..... Petitioners****VERSUS****State of Maharashtra & Anr.****..... Respondents**

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Mr. Bhavesh Thakur a/w. Mr. Kundlik Pachangane for the Petitioners.

Mr. S. V. Gavand, Addl.P.P. for the State – Respondent No.1.

Mr. Ameya Lambhate for the Respondent No.2.

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**CORAM : RAVINDRA V. GHUGE AND
RAJESH S. PATIL, JJ.****DATE : 17th January, 2025****P.C. :**

1. Having heard the learned Advocates for the respective sides and the learned A.P.P., we have perused the Petition paper-book with their assistance. We have also perused the affidavit on behalf of Respondent No. 2, dated 17th December, 2024 (14 pages), which is taken on record and collectively marked as 'X' for identification.

2. The documents before us indicate that a commercial dispute

was presented in the First Information Report (FIR) No. 0301 of 2023, dated 6th October, 2023 with the Vashi Police Station, District Navi Mumbai. Now the parties have come to terms and have settled their dispute. An amount of Rs.1,20,00,000/- is already paid to the Complainant by the Petitioners and the remainder amount of Rs.1,00,00,000/- is being paid in the Court. A Demand Draft is handed over to the learned Advocate representing Respondent No.2, which is delivered to Respondent No.2, who is present in the Court.

3. The learned A.P.P. vehemently submits that there is a growing trend of commercial matters being taken to the Police Station in the form of a criminal case and FIRs are registered. Due to the lodging of the FIR, the parties arrive at a settlement very swiftly and the commercial dispute is resolved. Normally such a party would have to approach the Civil Court for filing a civil suit for recovery of amount and the maximum Court fees are of Rs.3,00,000/-. He, therefore, canvasses that firstly, the State machinery and the process of law is utilized for settling a commercial dispute and secondly, the State exchequer is deprived of the Court fees.

4. In view of the above, we called upon the learned Advocates

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for the respective parties to respond to our view that the Petitioners would donate a total amount of Rs.1.5 lacs and the Complainant would donate an amount of Rs.1 lac. Both the learned Advocates, on instructions, are agreeable. We must record our appreciation for the graciousness shown by the parties and the learned Advocates.

5. Considering the above and keeping in view the law laid down by the Hon'ble Supreme Court in *Narinder Singh & Ors. vs. State of Punjab & Anr., (2014) 6 SCC 466*, this Criminal Writ Petition is **allowed**, by consent, in terms of prayer clause (a) which reads as under :-

(a) This Hon'ble Court be pleased to exercise its discretionary jurisdiction under article 226 of Constitution of India read with section 482 of Criminal Procedure of Code be pleased to quash and set aside the impugned FIR bearing No. 301 of 2023 for offences punishable u/s. 420, 406, r/w 34 of the Indian Penal Code, 1860 registered with Vashi Police Station;

6. In the light of the above and by consent of the parties, we record that the Petitioners and Respondent no.2, would directly deposit the amounts with the following entities, as a donation, on or before 7th February, 2025:-

The Petitioners would directly deposit an amount of Rs.1 lac in the following Account :-

Name : **Maharashtra Chief Minister's Relief Fund**
Account No. : 10972433751
Bank : State Bank of India
Branch : Main Branch, Fort, Mumbai
IFSC Code : SBIN0000300

The Petitioners would directly paid an amount of Rs.50,000/- in the following Account :-

Name : **In Defense of Animals**
Account No. : 04060100019102
Bank : Bank of Baroda
Branch : Chandavarkar Road, Matunga
IFSC Code : BARB0CHANDA

2nd Respondent would deposit an amount of Rs.1 lac directly with the Bar Council of Maharashtra and Goa in the following Account :-

Name : **Bar Council of Maharashtra and Goa**

Account No. : 10996711937
Bank : State Bank of India
Branch : Mumbai Main
IFSC Code : SBIN0000300

7. Though this **Writ Petition is allowed and disposed off**, we would list this disposed off matter on **14th February, 2025** in the **Supplementary Board**, under the caption '**For Compliance**'.

8. The statement of the parties before us is recorded that all the disputes between the parties, of any nature whatsoever, pertaining to the property at issue in the present FIR, stand fully settled and Respondent No.2, as well as, the Petitioners, would be precluded from raising any further demand having financial implications or otherwise, either directly or indirectly, as against the Petitioners.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)