

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 6686 OF 2024

Rahul Munnalal Maurya

... Petitioner

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Vishal Hegde a/w Mr. Amol Shirole, Mr. Rohit Mourya, Adv. S. V. Rao, Ms. Aishwarya Jose and Ms. Anuja Apte i/by Samudra Legal LLP for Petitioner.

Mrs. Prajakta P. Shinde, A.P.P. for Respondent No.1-State.

Mr. Tanishq Dube a/w Ms. Joti Tiwari i/by Mr. Sachin Joshi for Respondent No.2.

Mr. Sohamprakash R. Padvi, API (IO), Pantnagar Police Station, Mumbai.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 14th AUGUST 2025

P.C.:-

1) By this Petition under Article 226 of the Constitution of India, Petitioner, accused in C.C. No. 208/PW/2025 pending on file of 4th Additional Chief Judicial Magistrate, Vikhroli, Mumbai, arising out of C.R. No. 247 of 2024 dated 13th April 2024, registered with Pantanagar Police Station, Mumbai, under Section 420 read with 34 of the Indian Penal Code, is seeking to quash the said case with consent of Respondent No.2, the informant.

2) At the outset, Advocate Mr. Hegde, appearing for Petitioner submitted that, though in the FIR, names of in all three accused persons was mentioned, the Police have submitted charge-sheet only against the Petitioner by dropping the names of other two accused persons. The said statement is accepted.

3) Mr. Dube, learned Advocate for Respondent No.2 tendered across the Bar his affidavit dated 27th June 2025, duly affirmed before the Assistant Registrar of this Court. It is stated therein that, the Petitioner and Respondent No.2 have amicably settled all their grievances and grudges. In paragraph No.5 thereof, it is stated that, Respondent No.2 has no dispute with the Petitioner and has given his no objection and consent for quashing of the present crime.

3.1) Respondent No.2 appears through video conference facility and through his Advocate, reiterates the contents of his affidavit dated 27th June 2025 and his 'no objection' for quashing of the crime in question.

4) In view of the above and after perusing the record, we are inclined to quash C.C. No. 208/PW/2025 pending on file of 4th Additional Chief Judicial Magistrate, Vikhroli, Mumbai, arising out of C.R. No. 247 of 2024 dated 13th April 2024, registered with Pantanagar Police Station, Mumbai, under Section 420 read with 34 of the Indian Penal Code.

5) As we expressed our opinion to quash the said crime, Mr. Hegde, learned Advocate for Petitioner submitted that, for quashing of the

said crime, Petitioner will voluntarily pay a cost of Rs.25,000/- to the 'Armed Forces Battle Casualties Welfare Fund', within a period of two weeks from the date of uploading of the present order on the official website of the High Court, Mumbai. The said statement is accepted.

6) Learned Advocate appearing for Respondent No.2 submitted that, as Respondent No.2 has now received the amount as agreed by the Petitioner and Respondent No.2, due to lodgment of present crime, the Respondent No.2 will also voluntarily pay a cost of Rs.10,000/- to the 'Armed Forces Battle Casualties Welfare Fund', within a period of two weeks from the date of uploading of the present order on the official website of the High Court, Mumbai. The said statement is accepted.

7) We therefore direct the Petitioner to pay a cost of Rs.25,000/- and Respondent No.2 to pay a cost of Rs.10,000/- to the 'Armed Forces Battle Casualties Welfare Fund', within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay, Mumbai.

7.1) Details of the bank account for payment of cost are as under :-

Account Name	:-	Armed Forces Battle Casualties Welfare Fund.
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank.
Branch	:-	South Block, Defence Headquarters, New Delhi – 110 011.
IFSC Code	:-	CNRB0019055.

8) Petitioner and Respondent No.2 to deposit the said costs within stipulated period as noted above and submit receipt(s) of the same in the Registry of this Court.

9) In view of the above and subject to payment of costs by the Petitioner and Respondent No.2 within the stipulated period as noted above, the Petition is allowed in terms of prayer clause (a1).

10) It is made clear that, if the costs are not paid within the stipulated period as mentioned above, the Petition will stand revived automatically and in that event, the trial Court will proceed with the said case expeditiously.

11) List the Petition on board on 11th September 2025, under the caption 'for reporting compliance'.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)