

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 6722 OF 2024

1) Sitendra Sohanlal Sharma
Age 40 years, Occu : Business,
R/o B-503-504, Shankar
Apartment, Plot No.12E,
Sector No.8, Kharghar,
Tal – Panvel, Dist. - Raigad,
Navi Mumbai.

2) Susheel Kumar
S/o : Ram Yagnya
Age 41 years, Indian Inhabitant,
R/o House No.10, Belwar Road,
Prathmik Vidyalay, Lewo,
Belwar, Jaunpur,
Utter Pradesh – 222201.

...Petitioners

Versus

1) The State of Maharashtra
Through Sr. Inspector of Police,
Kalamboli Police Station,
Dist. - Raigad, In connection
with FIR No. 196/2022.

2) Mr. Krupa Shankar Tiwari
General Manager, Lason India Pvt.
Ltd., Having office at Unit No.504,
Hallmark Business Plaza,
Sant Dnyaneshwar Nagar Marg,
Near Gurunanak Hospital,

Kalanagar, Bandra (E), Mumbai.

...Respondents

Mr. Datta Mane for the Petitioners.

Mrs. P.P.Shinde, Addl.PP for the Respondent-State.

Mr. Shubham Choudhar i/b Mr. Somnath Kale for the Respondent No.2.

CORAM : REVATI MOHITE DERE &

SANDESH D. PATIL, JJ.

DATE : 3rd DECEMBER, 2025

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

1. Heard learned Counsel for the respective parties.
2. Rule. Rule is made returnable forthwith with the consent of the parties and is taken up for final disposal. Learned Addl.PP waives notice on behalf of the Respondent No.1 – State. Mr.Choudhar, learned Counsel for the respondent No.2 waives notice on behalf of the said respondent.
4. By this petition, the petitioners seek quashing of the FIR

registered vide C.R.No.196 of 2022 with the Kalamboli Police Station, Navi Mumbai, for the alleged offences punishable under Sections 420, 406 r/w34 of the Indian Penal Code. After investigation, chargesheet was filed in the said C.R and consequently, the proceeding is pending before the Learned Judicial Magistrate, First Class, Panvel being R.C.C.No. 729 of 2024.

2. Quashing is sought on the premise that the parties i.e. the petitioners and the respondent No.2 have amicably settled their dispute.

3. Perused the papers. The dispute primarily appears to be a money dispute between the parties i.e. of giving and taking of money, pursuant to the agreement entered into between the parties. It appears that pursuant to the said dispute, the respondent No.2 lodged an FIR as stated aforesaid with the Kalamboli Police Station, Navi Mumbai alleging the aforesaid offences.

4. After investigation, chargesheet was filed in the said case and the proceeding is pending before the learned Magistrate Court at Panvel.

5. During the pendency of the aforesaid proceeding, the parties have amicably settled their dispute. The respondent No.2 has filed his consent affidavit. The said affidavit is at page 246 of the petition. In the said consent affidavit, the respondent No.2 has stated that the dispute has been amicably settled with the petitioner and that he has also received the payment pursuant to the settlement. He has further given his no objection to the quashing of the proceeding pending before the learned Magistrate.

6. The respondent No.2 is present in-person. He reiterates the contents of his affidavit. He has tendered a photocopy of his Aadhar Card duly attested by him. Learned Counsel for the respondent No.2 has identified the respondent No.2.

7. Considering the nature of dispute, amicable settlement between the parties, the affidavit of the respondent No.2 and the judicial pronouncement in this regard, there is no impediment in allowing this petition. Accordingly, the petition is allowed and the FIR registered vide C.R.No.196 of 2022 with the Kalamboli Police Station, Navi Mumbai, the chargesheet and consequently, the proceeding pending before the learned Judicial Magistrate, First Class, Panvel being R.c.C. No.729 of 2024, are quashed and set aside.

8. Both the petitioners to deposit costs of Rs.10,000/- together and the respondent No.2 also to pay costs of Rs.10,000/- with the Maharashtra Centre Police Welfare Fund having a/c No. 914010029005759, IFSC No. UTIB0000060, with the Axis Bank, within two weeks from the date of uploading of this order.

9. Rule is made absolute on the aforesaid terms. Petition stands disposed of accordingly.

10. Stand over to 7th **January, 2026**, for recording compliance of the order passed today.

11. All concerned to act on the authenticated copy of this Judgment.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.