IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1708 OF 2024

Deepak Hiralal Shah ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Omkar Khanvilkar i/b. Omkar Khanvilkar for Applicant.
Mr. B. V. Holambe Patil, APP for State/Respondent.
Mr. Advait Tamhankar for the Respondent No.2.

CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.

DATE : 3 FEBRUARY 2025

PC :

1. This is an application for quashing of the F.I.R. registered vide C.R.No.378 of 2024 at Kandivali police station, on 08.05.2024, under sections 420, 465, 467 and 471 of the I.P.C. The F.I.R. is lodged by the Respondent No.2. She has stated in the F.I.R. that her husband had a premises admeasuring 290 Sq.ft. at Aaradhana Mitra Mandal, Kandivali (W). However, those premises were given to one Dr. Joshi for temporary use. When the informant went to that place in January 2023, she realised that the electricity

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bill for those premises was in the name of the present petitioner. She made further enquiries and came to know that some false documents and agreements were submitted to the electricity distribution company and the electricity bill was transferred in the petitioner's name. It is her case that, her husband had not signed any such document or agreement. On this basis the F.I.R. was lodged. The investigation is still in progress. In the meantime, the matter is settled between the parties.

2. The first informant has filed her affidavit expressing her no objection for quashing of these proceedings. Both the parties rely on the settlement agreement which is annexed to this petition at page No.33. Vide the said agreement, it is clarified that the right, title and interest of the petitioner was transferred to the first informant herein; including the electricity meter connection. The informant is satisfied with the arrangement. She is present in the Court. She is identified by her learned counsel. She is accompanied by her son-in-law who is looking after her interest. On specific questions put to the first informant and her son-in-law, both of them stated that they have no objection if the proceedings are

quashed.

3. Since the dispute between the parties is purely personal in nature and since the informant is getting back her premises, no purpose will be served in keeping the litigation pending which will only jeopardize the informant's rights. She has given her specific consent for quashing of these proceedings. In this situation, we are inclined to allow this petition.

4. Hence, the following order:

O R D E R

i) The F.I.R. registered vide C.R.No.378 of 2024 at Kandivali police station, on 08.05.2024, under sections 420, 465, 467 and 471 of the I.P.C, is quashed and set aside.

ii) The Application is disposed of.

(S. M. MODAK, J.) (SARANG V. KOTWAL, J.)