



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

CRIMINAL APPLICATION NO. 1887 OF 2024

Sujan Badal Maji ..Applicant
vs.
The State of Maharashtra and anr. ..Respondents

Mr. Bharat Manghani for Applicant.
Mr. P. H. Gaikwad Patil, APP for State.
Ms. Drushti Gala, Advocate for Respondent No.2.
PSI Vaibhav Kalyanrao Deshmukh, L. T. Marg Police Station.

**CORAM : RAVINDRA V. GHUGE &
RAJESH S. PATIL, JJ.**

DATE : 3rd JANUARY 2025.

P.C. :-

1. This Application is filed by mutual consent for seeking quashing of the FIR No.13/2018, dated 12.01.2018. It is stated that the dispute arose out of a commercial transaction. The parties have settled between themselves and jointly pray that the FIR be quashed.

2. The Affidavit of the Complainant, Respondent No.2 herein, has been placed on record from Page Nos. 20 to 22. The Complainant submits that he has no grievance against Applicant and prays that the FIR be quashed by consent.

3. The learned APP vehemently submits that the process of law has been used by the Complainant for recovery of consideration/amount which is a part of a commercial transaction. It is because of the process of law that the amount has been recovered. However, the criminal investigation machinery has been put into operation for investigation and even a charge-sheet has been filed before the Court and the charge has also been framed by the concerned Court. He prays for costs.

4. Considering the law laid down by the Hon'ble Supreme Court in *Narinder Singh & Ors. Vs. State of Punjab & Anr., (2014) 6 SCC 466*, we find the request made by the parties, to be reasonable.

5. In view of the above, **this Application is allowed** in terms of prayer Clauses (a) and (b), which read as under :-

(a) That this Hon'ble Court may kindly be pleased to quash and set aside the F.I.R. registered at the instance of the Respondent no.2, against the Applicant being Crime No. 13 of 2018 at the L. T. Marg Police Station, for the offences punishable under Section 409, 420, 34 of the Indian Penal Code.

(b) Pending the hearing and final decision of the present Application, stay the proceedings being CC No. 753/PW/2018 pending before the Ld. Judicial Magistrate First Class 28th Court, Esplanade Mumbai arising out of Cr. No. 13 of 2018 registered at the L. T. Marg Police

Station.

6. The learned Advocate for the Applicant volunteers to deposit the amount of Rs.5,000/- only. Let such amount be deposited in this Court within a period of 15 days from today.

7. The Registry shall transfer the said amount to the Central Police Welfare Fund. The Bank details are as follows :

Axis Bank Ltd.,
Worli Branch,
Account No. 914010029005759,
IFSC Code – UTIB0000060.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)