

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

CRIMINAL WRIT PETITION NO.787 OF 2025

Preeti Sharma @ Priti Sharma Petitioners
versus
The State of Maharashtra & Anr. Respondents

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- Mr. Atul Vishnu Redkar, Advocate for Petitioners.
- Smt. M. M. Deshmukh, APP for the State/Respondent.
- Mr. Rajeev Sharma i/b. Juris Salvation, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL &
S. M. MODAK, JJ.**
DATE : 24th APRIL, 2025

P.C. :

1. This Petition is filed for quashing and setting aside the charge-sheet in connection with R.C.C.No.1814/2019 arising out of C.R.No.179/2018 dated 05/05/2018 registered with Rabale Police Station, Navi Mumbai, u/s 199, 200, 209, 404, 405, 406, 420 of the Indian Penal Code.

2. Heard Mr. Atul Redkar, learned Counsel for the Petitioners, Mr. Rajeev Sharma, learned counsel for the Respondent No.2 and Smt. M. M. Deshmukh, learned APP for the State.

3. The FIR is lodged by the Respondent No.2 against his own father and sister. The father has passed away and today only the Petitioner who is sister of the informant is facing the prosecution. The investigation is already over and the case is pending before the learned Magistrate.
4. The gist of the prosecution is reflected in the FIR itself. The informant has mentioned that between the year 1993 to 1997, he was working in Dubai. He had sent some amount to his parents for purchasing a flat. Accordingly, the flat was purchased in the year 1994. The flat was bearing No.201, Airoli Plaza A Co. Op. Hsg. Soc., Plot No.4, Airoli, Navi Mumbai. That was purchased in the name of the informant's mother. After coming back to India, the informant started residing in the said flat with his parents. Even the Petitioner was staying in the flat with her son. She had obtained divorce from her husband. The informant's and Petitioner's mother passed away in the year 2007. Thereafter the Petitioner and their father started making efforts to get the flat registered in the father's name. The informant was harassed and therefore he started residing

separately from 2008 with his wife and son. The informant filed Civil Suit No.644 of 2011, in the Court of Civil Judge Senior Division at Thane. He also filed his FIR on the allegations that the Petitioner and the father had used forged documents in the Court to establish their right over that property.

5. The investigation was carried out and the charge-sheet is filed.
6. Now the matter is settled between the parties. The informant has filed his affidavit. He has stated that he has filed a Civil Suit in the Court of Civil Judge Senior Division bearing Civil Suit No.644 of 2011. It was transferred to the Court of Civil Judge Senior Division at Navi Mumbai and it was numbered as Special Civil Suit No.536 of 2023. During the pendency of the that suit, mediation process was conducted and the parties arrived at settlement. The Consent Terms were filed in the Court on 16/12/2024. In view of this settlement, the Respondent No.2 has recorded his no objection for quashing of the proceedings.
7. The Respondent No.2 is present in the Court. He is

identified by his learned counsel. The Respondent No.2 has reiterated the contents of the affidavit. He stated before the Court that he has received his share of money in respect of that flat and there is no dispute pending between him and his sister i.e. the Petitioner.

8. The dispute between the parties was purely personal in nature. The dispute was between the brother and the sister. They have settled their dispute. The Respondent No.2 has no grievance against his sister any more. In this view of the matter, we are inclined to allow this Petition.

9. Hence, the following order :

ORDER

(i) The R.C.C.No.1814/2019 arising out of C.R.No.179/2018 dated 05/05/2018 registered with Rabale Police Station, Navi Mumbai, is quashed and set aside.

(ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)