

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

CRIMINAL WRIT PETITION NO.1024 OF 2025

Saad s/o Javed Sayyed

.... Petitioner

versus

The State of Maharashtra & Anr.

.... Respondents

.....

- Mr. A. R. Shaikh, Advocate for Petitioner.
- Mr. S. V. Gavand, APP for the State/Respondent.
- Mr. Majid Khan, Advocate for Respondent No.2.

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

DATE : 28th FEBRUARY, 2025

P.C. :

1. This Petition is filed for quashing of the FIR registered vide C.R. No.249/2024 at Neral Police Station, Raigad, dated 28/12/2024 u/s 305(a), 331(3), 331(4) of Bhartiya Nyay Sanhita, 2023.

2. Heard Mr. A. R. Shaikh, learned Counsel for the Petitioner, Mr. Majid Khan, learned counsel for the Respondent No.2 and Mr. S. V. Gavand, learned APP for the State.

3. The FIR is lodged by the Respondent No.2. The Petitioner is her real brother. The allegations are that between 21/12/2024 to 24/12/2024 somebody had entered her house and had taken away gold ornaments kept in the flat. The gold ornaments weighed 4 tolas worth around Rs.1,60,000/-. On this basis, the FIR is lodged.
4. While lodging of the FIR, the Petitioner had accompanied the Respondent No.2. But subsequently it turned out that the Respondent No.2 expressed suspicion against her brother i.e. the Petitioner and therefore he was made an accused in this case and the investigation was conducted in that direction.
5. Learned APP on instructions states that at present the Petitioner is an accused in this case. The matter is settled between the parties. They are real brother and sister. The informant does not want to proceed against the Petitioner, who is her brother. She has filed her affidavit giving her specific no objection for quashing of the present FIR.

6. The Respondent No.2 is present in the Court. She is identified by her learned counsel. She reiterated the contents of the affidavit and she stated before the Court that she has no objection for quashing of the FIR.
7. The dispute between the parties is purely personal in nature. Both of them are brother and sister. It would be in the interest of justice to quash these proceedings. The Respondent No.2 has given her specific no objection for the same.
8. Hence, the following order :

ORDER

- (i) The Petition is allowed.
- (ii) The FIR registered vide C.R. No.249/2024 at Neral Police Station, Raigad and the consequent proceedings arising out of the said FIR, are quashed and set aside.
- (iii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)