

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

CRIMINAL WRIT PETITION NO.1057 OF 2025

Sachin Gopinath Nawale & Anr. Petitioners

versus

The State of Maharashtra & Anr. Respondents

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- Mr. Fauzan Shaikh, Advocate for Petitioners.
- Mr. J. P. Yagnik, APP for the State/Respondent.
- Ms. Kanchan T. Pawar, Advocate for Respondent No.2.

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

DATE : 18th MARCH, 2025

P.C. :

1. This Petition is filed for quashing of the FIR registered vide C.R.No.178/2023 dated 16/05/2023 with Meghwadi Police Station, u/s 420 r/w 34 of the Indian Penal Code.

2. Heard Mr. Fauzan Shaikh, learned Counsel for the Petitioners, Ms. Kanchan T. Pawar, learned counsel for the Respondent No.2 and Mr. J. P. Yagnik, learned APP for the State.

3. The FIR is lodged by the Respondent No.2. She has

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stated that she got acquainted with the Petitioners in the year 2013. She wanted to purchase a house. Both the Petitioners told her that they were in a position to get a house for her for Rs.9 lakhs. The FIR thereafter goes on to mention that the Respondent No.2 paid Rs.4,90,000/- from time to time. But no steps were taken to give her a flat. Some amount was taken on the pretext of maintenance charges before handing over the possession. After continuous pursuation, the Petitioners only returned Rs.1,25,000/-. They misappropriated the amount of Rs.3,65,000/-. On this basis, the FIR is lodged.

4. Now the matter is settled between the parties. The Respondent No.2 has filed her affidavit. She has stated in her affidavit that the matter is settled to her satisfaction and she has received the amount, which is mentioned in the affidavit. She is present in the Court. She is identified by her learned counsel. She reiterated the contention of the affidavit and stated before the Court that she has no objection for quashing of the proceedings.

5. The dispute between the parties is purely personal in nature. Though there is element of cheating and misappropriation, since the matter is entirely settled between the parties, no purpose will be served in continuation of the proceedings. Therefore, we are inclined to allow this Petition.

6. Hence, the following order :

ORDER

(i) The FIR registered vide C.R.No.178/2023 dated 16/05/2023 with Meghwadi Police Station and the further proceedings arising out of the said FIR, are quashed and set aside.

(ii) The Petition is disposed of.

(S. M. MODAK J.)

(SARANG V. KOTWAL, J.)