

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2131 OF 2025

- 1) Shikharchand Hanumantraj Jain]
adult Indian Inhabitant of Bombay]
aged about 75 years,]
Occupation : Business, residing at]
Building No. 360, Umrao Bhavan,]
J.S.S.Road, Kalbadevi,]
Mumbai – 400 002.]
- 2) Premlata Shikharchand Jain]
adult Indian Inhabitant of Bombay]
aged about 69 years,]
Occupation : Business, residing at]
Building No. 360, Umrao Bhavan,]
J.S.S.Road, Kalbadevi,]
Mumbai – 400 002]
- 3) Narendrakumar Hanumantraj Singhvi]
aged 70 years, adult,]
Indian Inhabitant of Mumbai]
Occupation : Business, residing at]
06-6, Navroji Street, Krishna Nivas,]
Thakurdwar, Mumbai]
- 4) Hastimal Kataria,]
Age 71 years, adult]
Indian Inhabitant of Mumbai]
Occupation : Business, residing at]
4th Floor, 20/22, Bapu Khote Cross]
Street Road, Pydhonie,]
Mumbai – 400003]
- ... Petitioners

V/s.

- 1) The State of Maharashtra]
through Senior Inspector of Police,]
L.T. Marg Police Station,]
27, R.Champsi Road, Tak Wadi,]

- Lohar Chawl, Kalbadevi,]
 Mumbai – 400 002, and represented]
 through the learned Public Prosecutor]
 High Court, Appellate Side (Criminal)]
 Mumbai]
- 2) Vaibhav Navalkishore Gupta,]
 an adult Indian Inhabitant of Mumbai]
 age 35 years, Occupation : Service,]
 residing at Building no. 344/346,]
 Damodhar bhavan, 6th floor,]
 Kalbadevi Road, Mumbai – 400002] ...Respondents

Mr.Shobhit Shukla i/b. Mr.Anand Pande for Petitioners.

Smt. Prajakta P. Shinde, A.P.P. for Respondent No. 1 – State.

Mr.Nikhil Waje for Respondent No.2.

Mr.Vikramsingh Patil, API, L.T.Marg Police Station, Mumbai present.

**CORAM : A. S. GADKARI AND
 RAJESH S. PATIL, JJ.**
DATE : 29th JULY, 2025

PC.:-

- 1) By this Petition under Article 226 of the Constitution of India, the Petitioners, accused in C.R. No. 0142 of 2025, dated 6th February, 2025, registered with L.T.Marg Police Station, Mumbai, under Sections 420 and 409 of the Indian Penal Code read with Section 21 of Maharashtra Rent Control Act, is seeking quashing of the said crime, with the consent of Respondent No.2, the informant.
- 2) Learned Advocate for the Petitioners submitted that, during the pendency of the Petition, the Petitioners and Respondent No.2 have settled

their disputes and differences and the alleged claim of the Respondent No.2 is satisfied by them by paying them the necessary compensation in lieu of their tenancy rights as alleged in the First Information Report. That, the Respondent No.2 is now giving consent for quashing of the crime. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2.

3) Mr.Waje, learned Advocate submitted that, during the course of the day, he will file Vakalatnama on behalf of the Respondent No.2. The said statement is accepted.

4) Mr.Waje, learned Advocate for the Respondent No.2 tendered across the bar his Affidavit dated 15th July 2025, duly affirmed before a Notary Public. The fact of amicable settlement and receipt of compensation amount in lieu of surrender of tenancy rights has been admitted by the Respondent No.2. Respondent No.2 has further admitted the fact of amicable settlement between the parties. In Para No.(7) thereof, Respondent No.2 has given his consent and no objection for quashing of the crime in question.

4.1) Respondent No.2 is personally present in Court and through his Advocate reiterates the contents of his Affidavit dated 15th July, 2025, and his 'No Objection' for quashing of the crime in question.

5) In view of the above, we are inclined to quash C.R. No. 0142 of 2025, dated 6th February, 2025, registered with L.T.Marg Police Station,

Mumbai.

6) As we expressed our opinion for quashing of C.R. No. 0142 of 2025, dated 6th February, 2025, Mr.Shukla, learned Advocate for Petitioners on instructions submitted that, for quashing of the said crime, the Petitioners will voluntarily pay a cost of Rs.1,00,000/- each, totalling to Rs.4,00,000/- jointly and severally, to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

6.1) We therefore direct the Petitioners to pay a cost of Rs.,1,00,000/- each, totalling to Rs.4,00,000/- jointly and severally, to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay and submit its receipt(s) in the Registry of this Court.

7) Due to lodgment of present crime and by setting the criminal law into motion, as the Respondent No.2 is successful in bringing the Petitioners across the table for settlement, Mr. Waje, learned Advocate for Respondent No.2 on instructions submitted that, Respondent No.2 will also voluntarily pay a cost of Rs.4,00,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two

weeks from the date of uploading of the present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

7.1) We therefore direct Respondent No.2 to pay a cost of Rs.4,00,000/- to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay.

7.2) Details of the bank Account for payment of cost are as under:-

Account Name	:	BCMG'S Advocate Academy & Research Center
Bank and Branch	:	Bank of India, Mumbai Main
Account Number	:	000120110001327
Type of Account	:	Current Account
IFSC Code	:	BKID0000001

8) Petitioners and Respondent No.2 to pay the aforesaid cost within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

9) In view of the above and subject to payment of cost by the Petitioners and Respondent No.2, within stipulated period as noted above, Petition is allowed in terms of prayer clause (b).

10) It is made clear that, if the cost is not paid within stipulated period as mentioned above, Petition shall stand revived automatically and in that event, the Investigating Officer will investigate the present crime expeditiously.

11) List the Petition on board on 29th August, 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)