

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2899 OF 2025

- | | | | |
|----|---|---|-----------------|
| 1. | Mr. Vasant Vira Nagar aka |] | |
| | Vishram Vira Nagar |] | |
| | Age about 75 years, Occ. Business |] | |
| | Having address at : Tulsiwadi |] | |
| | Navnirman CHS, Room No. 1301, |] | |
| | 13 th Floor, Building 2, S.K. Rathod Marg, |] | |
| | Tardeo, Mumbai – 400 034. |] | |
| 2. | Mr. Khushal Dhirajlal Nagar |] | |
| | Aged 20 years, Occ. Business, |] | |
| | Residing at Tulsiwadi Navnirman CHS, |] | |
| | Room No. 1301, 13 th Floor, Building 2, |] | |
| | S.K. Rathod Marg, Tardeo, |] | |
| | Mumbai – 400 034. |] | ... Petitioners |

V/s.

- | | | | |
|----|---|---|-----------------|
| 1. | The State of Maharashtra |] | |
| | (At the instance of Agripada Police Station |] | |
| | in CR No. 182 of 2025) |] | |
| 2. | Mr. Mansoor Mehmood Sayyed |] | |
| | Age 51 years, Occ. Not known, |] | |
| | Having address at C-7, Tayyab Building, |] | |
| | Sane Guruji Marg, Saatrasta, |] | |
| | Jacob Circle, Mumbai – 400 011. |] | ... Respondents |

Mr. Sukrut Mhatre a/w. Mr. Nitin Kamble for Petitioners.
Mr. Rhishikesh M. Pethe, A.P.P for Respondent No.1-State.
Mr. Abdullah Maknojia a/w. Mr. Ansari Modssir Siraj i/b. Mr. Rajendra Rathod for Respondent No.2.
A.P.I. Tejashri Kadam, Agripada Police Station, present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 13th June 2025.

JUDGMENT (Per : A. S. GADKARI, J.) :-

- 1) Rule. Rule made returnable forthwith and with the consent of the learned Advocates for respective parties, taken up for final hearing.
- 2) By this Petition under Article 226 of the Constitution of India the Petitioners, accused in CR No. 182 of 2025, dated 8th April 2025, registered with Agripada Police Station, Mumbai, for the offence punishable under Sections 465, 467, 468, 471, 420 read with 34 of Indian Penal Code, are seeking relief of quashing of the said crime with the consent of Respondent No.2, the informant.
- 3) Learned Advocate for Petitioners submitted that, during the ongoing investigation the Petitioners and Respondent No.2 have amicably settled their disputes and differences and the Respondent No.2 has given his consent for quashing of the crime in-question. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2.

4) Learned Advocate for Respondent No.2 tendered across the bar his Affidavit dated 13th June 2025, duly affirmed before a Notary Public. It is stated therein that, the dispute between the Petitioners and Respondent No.2 has been amicably settled and the Respondent No.2 does not wish to proceed further with the investigation of the said crime. In para No.4 thereof, Respondent No.2 has given his 'No Objection' for quashing of the crime in question.

4.1) Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 13th June 2025 and his 'No Objection' for quashing of the said crime.

5) In view thereof, we are inclined to quash CR No. 182 of 2025, dated 8th April 2025, registered with Agripada Police Station, Mumbai, for the offence punishable under Sections 465, 467, 468, 471, 420 read with 34 of Indian Penal Code.

6) As we expressed our opinion for quashing of CR No. 182 of 2025, dated 8th April 2025, registered with Agripada Police Station, Mumbai, learned Advocate for Petitioners on instructions submitted that, the Petitioners will pay a cost of Rs.25,000/- each, totalling to Rs.50,000/- jointly or severally, to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of Order. The said statement is accepted as an undertaking given to this Court.

7) We therefore direct the Petitioners to pay a cost of Rs.25,000/- each, totalling to Rs.50,000/- jointly or severally, to the Advocates' Association of Western India Generation Next Fund, Mumbai, within a period of two weeks from the date of uploading of present Order on the official website of Bombay High Court.

7.1) Details of the bank account for payment of cost are as under :-

Account Name :- Advocates Association of Western
India Generation Next.

Account Number :- 000110110007807.

Bank Name :- Bank of India.

Branch Name :- Mumbai Main.

IFSC Code :- BKID0000001.

7.2) Petitioners to deposit the said cost of Rs.25,000/- each, totalling to Rs.50,000/- jointly or severally, within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

8) In view of above and subject to payment of cost within stipulated period, the crime in question is quashed and the Petition is allowed in terms of prayer clause (a).

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

- 10) Rule is made absolute in the aforesaid terms.
- 11) List the Petition on board on 21st July 2025, under caption 'For Reporting Compliance' of Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)

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