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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2996 OF 2025

1. Mohammad Maaz]
Age : 32 years, Occupation : Business]]
Residence Address : Aafaq Manzil,]
VIP Road, Near Kinara Apartments,]
Bhopal, Madhya Pradesh – 462038]
2. Syed Faraz Ahmed]
Age : 36 years,, Occupation:Business]
Residential address : 37, Dehedpura,]
East Kamla Park, Huzur, Bhopal,]
Madhya Pradesh – 462001]
3. Syed Jamshed Majeed]
Age : 41 years,, Occupation : Business]]
Residential address :]
14 Lake View Colony, Kohefiza,]
Huzur, Bhopal,]
Madhya Pradesh – 462001] ...Petitioners

V/s.

1. The State of Maharashtra]
{Copy to be served on Public]
Prosecution High Court of Judicature]
of Bombay }]
2. The Senior Inspector of Police,]
Vakola Police Station,]
District: Mumbai]
3. Dr.Krishnaji Dattatray Dabholkar]
[Complainant/Informant]]
Age : 70 years, Occupation : Business]
Residing at : 604,
Vijaya Shreedurga CHS, T.P.S. 3,]
6th Road, Santacruz (E), Mumbai-400055] ...Respondents

Mr.Zeeshan T. Siddique for Petitioners.

Mr.Ajay S.Patil, A.PP for Respondent Nos.1 and 2 - State.

Mr.Hashim Ansari for Respondent No.3.

Mr. Rahul Pol, API, Vakola Police Station, Mumbai present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 02nd JULY, 2025

JUDGMENT (PER : A.S.Gadkari, J.) :-

1) By this Petition under Article 226 of the Constitution of India, Petitioners, accused in C.C.No. 961/PW/2023, pending on the file of 71st Judicial Magistrate First Class, Bandra, Mumbai arising out of C.R.No. 116 of 2022, dated 3rd March, 2022, registered with Vakola Police Station, Mumbai, under Sections 420 read with Section 34 of the Indian Penal Code, are seeking relief of quashing of the said crime, with the consent of Respondent No.3, the informant.

2) Heard Mr.Siddique, learned Advocate for Petitioners, Mr.Ajay Patil, learned A.PP for Respondent Nos. 1 and 2 and Mr.Ansari, learned Advocate for Respondent No.3.

3) Learned Advocate appearing for Respondent No.3 submitted that Petitioners and Respondent No.3 have now settled their disputes and differences amicably and Respondent No.3 has repaid the entire amount of Rs.14,57,000/- to him. That, Petitioners and Respondent No.3 have executed Consent Terms dated 2nd July, 2025 in that behalf. He tendered across the bar the said Consent Terms dated 2nd July, 2025 and an Affidavit

of Respondent No.3 of even date, duly affirmed before a Notary Public. The said documents are taken on record and marked as Exhibits 'X' and 'X-1' respectively for identification.

3.1) In his Affidavit dated 2nd July, 2025, Respondent No.3 has admitted the fact of receipt of full and final settlement amount of Rs.14,57,000/-. It is further stated that, he has no surviving grievance or claim of any nature against Petitioners. In Para No. 6 thereof, Respondent No.3 has given his unequivocal consent and 'No Objection' for quashing of the crime in question.

3.2) Respondent No.3 is present in Court and through his Advocate reiterates the contents of the Affidavit date 2nd July, 2025 and his 'No Objection' for quashing of the crime in question.

4) In view of the above, we are inclined to quash C.C.No. 961/PW/2023 pending on the file of 71st Judicial Magistrate First Class, Bandra, Mumbai, arising out of C.R.No. 116 of 2022 dated 3rd March, 2022, registered with Vakola Police Station, Mumbai.

5) As we expressed our opinion for quashing of C.C.No. 961/PW/2023 pending on the file of 71st Judicial Magistrate First Class, Bandra, Mumbai arising out of C.R.No. 116 of 2022 dated 3rd March, 2022 registered with Vakola Police Station, Mumbai, Mr. Siddique, learned Advocate for Petitioners on instructions submitted that, the Petitioners will pay a cost of Rs.50,000/- each, totalling to Rs.1,50,000/- jointly or

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 Judgment on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

5.1) We therefore direct the Petitioners to pay a cost of Rs.50,000/- each, totalling to Rs.1,50,000/- jointly or 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 Judgment on the official website of the High Court of Bombay and submit its receipt(s) in the Registry of this Court.

5.2) As Respondent No.3 is successful in bringing Petitioners across the table for settlement by setting the criminal law into motion and has received the entire defalcated amount, Mr.Ansari, learned Advocate for Respondent No.3 on instructions submitted that, Respondent No.3 will also pay a cost of Rs.50,000/- 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 Judgment on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

5.3) We therefore direct Respondent No.3 to pay a cost of

Rs.50,000/- 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 Judgment on the official website of the High Court of Bombay.

5.4) 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

6) Petitioners and Respondent No.3 to pay the aforesaid cost within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

7) In view of the above and subject to payment of cost by both the Petitioners and Respondent No.3, within stipulated period as noted above, Petition is allowed in terms of prayer clauses (b) and (c).

8) 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 trial Court will proceed with the said case expeditiously.

9) List the Petition on board on 4th August 2025, under the caption 'For Reporting Compliance' of present Judgment.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)