

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

CRIMINAL WRIT PETITION NO.3460 OF 2025

Nimmit Dhingra,]
R/o. Lodha Marquise, Lodha Park,]
Worli, Mumbai 400013] ..Petitioner

Versus

1. The State of Maharashtra,]
Through Kapurbawadi Police Station, Thane]
2. M/s. Potentia Network LLP,]
Off. at Asher Millennia, Kapurbawdi Junction]
Thane (West)]
3. Hitesh Virendra Bobhate,]
Partner of Potentia Network LLP,]
R/o. Nilgiri Upvan Society, Gawand Bagh,]
Kapurbawdi, Thane] ..Respondents

Mr. Gaurav Sharma with Mr. Dhanesh Sharma, Advocate for the
Petitioner.

Ms. Mahalaxmi Ganpathy, Additional Public Prosecutor for
Respondent No.1

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 8TH OCTOBER 2025.

Per, Gautam A. Ankhad, J.

This petition seeks quashing, by consent, of :-

- (i) The First Information Report No.329 of 2025 dated 15th April, 2025 registered with the Kapurbawadi Police Station under sections 34, 406, 420, 504 of the Indian Penal Code, 1860; and
- (ii) The proceedings bearing No.S.C.C/16476/2024 before the 6th Joint J.M.F.C and C.J.J.D Court at Thane under Section 138 of the Negotiable Instruments Act, 1881.

2. A complaint under Section 138 of the Negotiable Instruments Act, 1881 was lodged at the instance of the respondent no. 2 against

the petitioner. In addition thereto, the respondent no.3 and the partner of respondent no.2 filed the aforesaid FIR. The parties have now settled all their differences before the Lok Adalat. Mr. Sharma, the learned counsel for the petitioner submits that an Award dated 13th September 2025 has been passed recording the settlement between the parties. He submits that the petitioner has complied with the Award. This is confirmed by the respondent no.2 who has filed an Additional compilation of documents dated 08th October, 2025 placing on record the Award and other documents confirming compliance of the Award and the payment of Rs.27,40,000/- by the petitioner in terms of the Award passed by the Lok Adalat. Hence, the petitioner seeks to invoke powers of this Court under Article 226 and 227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of the FIR. The same is taken on record and marked as "X" for identification.

3. In "*Narinder Singh v. State of Punjab*", (2014) 6 SCC 466, the Hon'ble Supreme Court has held that where the parties have reached a settlement, the Court may quash the proceedings to secure the ends of justice. In this case, there is an Award of the Lok Adalat. In view thereof, Writ Petition No.3460 of 2025 is allowed in terms of prayer clause (a), which reads as under:-

"(a) To quash FIR No. 0329 of 2025 dated 15.04.2025 registered at the instance of Kapurbawadi Police Station, District Thane, against the Petitioner (Accused No.2) for offences punishable under Section 34, 406, 420, 504 of the Indian Penal Code, 1860 on the Complaint filed by one Hitesh Virendra Bobhate as also the Proceedings bearing No. S.C.C/16476/2024 before the 6th Joint J.M.F.C and C.J.J.D Court at Thane under Section 138 of the Negotiable Instruments Act, 1881, on such terms and conditions as the Hon'ble Court may deem fit and proper; "

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]