

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

CRIMINAL WRIT PETITION NO.3547 OF 2025

Mayank Goel

...Petitioner

Vs.

The State Of Maharashtra & Anr.

...Respondents

Mr. Siddhesh Bhole a/w Adv. Yakshay Chheda a/w Adv. Kartik Pillay for the Petitioner.

Mr. S.V. Gavand APP, for the Respondent-State.

Ms. Zehra Charania a/w Adv. Ayaz Khan a/w Adv. Mallika Sharma for the Respondent No.2.

Mr. Mahesh Thakur, Respondent no. 2, Present in court.

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

DATE : 25TH SEPTEMBER 2025.

Per Gautam A. Ankhad, J.

The present criminal writ petition is filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing, by consent, FIR No. 1365 of 2022 registered with Oshiwara Police Station dated 20 September 2022 u/s 406 and 420 of Indian Penal Code, 1860.

2. The FIR was registered at the instance of respondent no.2 (the original complainant) against the petitioners. The FIR pertained to certain misunderstandings/disputes between the petitioners and the respondent no.2. Subsequently, the differences and misunderstanding between the petitioners and the respondent no.2 has been amicably resolved.

3. Ms. Zehra Charania, the learned advocate for respondent no.2 confirms the settlement and has tendered an affidavit dated 25th September 2025 across the bar recording no objection to the

quashing of the FIR and any proceedings arising therefrom. The same has been taken on record and marked as 'X' for identification.

4. It is settled law that the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law particularly when the Complainant no longer supports the complaint. Therefore, continuation of the criminal proceedings would serve no fruitful purpose. In view of the above, the Criminal Application No.3547 of 2025 is allowed in terms of prayer clause (a), which reads as under:-

“a. Quash and set aside FIR dated September 20, 2022 bearing No. 1365 of 2022 u/s 406 and 420 of Indian Penal Code, 1860 registered with Oshiwara Police Station.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]