

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3612 OF 2025**

Sahil Chandrakant Ghule & Ors.

... Petitioners

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Vivek Kantawala a/w Mr. Amey Patil and Mr. Manav Kantawala i/b Mr. Vivek M. Sharma for Petitioners.

Mr. Ajay S. Patil, A.P.P. for Respondent No.1-State.

Mr. Vivek Arote for Respondent No.2.

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

DATE : 5th August 2025.

P.C. :

1) Leave to amend to mention correct crime number in prayer clause and pleadings, granted.

1.1) Amendment be carried out forthwith and in any event during the course of the day.

2) By this Petition under Article 226 of the Constitution of India and Section 482 of the Cr.P.C, the Petitioners, accused in C.R. No. 650 of 2018, dated 30th May 2018, registered with Hadapsar Police Station, Pune, punishable under Sections 406, 417, 420, 504 and 506 read with 34 of the Indian Penal Code (IPC), are seeking quashing of the said crime with the consent of Respondent No.2, the informant.

3) At the outset, Mr. Kantawala, learned counsel appearing for the Petitioners on instructions submitted that, till date the investigation of the

crime is not completed and the charge-sheet is not filed. The said statement is accepted.

4) Mr. Arote, learned Advocate appearing for Respondent No.2 submitted that, he will file his Vakalatnama on or before 6th August 2025. The said statement is accepted.

5) Mr. Kantawala, learned counsel for the Petitioners submitted that, the Petitioners had earlier preferred Criminal Application (A.PL) No. 979 of 2018, under Section 482 of the Cr.P.C., for quashing of the present crime on merits. However during the pendency of the said Application, the Petitioners and Respondent No.2 have decided to settle their disputes and differences and therefore present Petition is filed for quashing of the said crime with the consent of Respondent No.2. He therefore prayed that, the said crime may be quashed with the consent of Respondent No.2, the informant.

6) Mr. Arote, learned Advocate for Respondent No.2 tendered across the bar Affidavit of Respondent No.2, dated 31st July 2025, duly affirmed before a Notary Public. The said Affidavit is in Marathi vernacular and the Respondent No.2 has put her left hand thumb impression on the said Affidavit while affirming it. It is stated therein that, the Petitioners and Respondent No.2 have filed Consent Terms in Special Civil Suit No. 1519 of 2016, which was pending on the file of learned Civil Judge Senior Division, Pune. That, Respondent No.2 has received the necessary compensation as agreed in the said Consent Terms from the Petitioners. That, the disputes *inter-se* between

the Petitioners and Respondent No.2 have now come to an end. That, Respondent No.2 has withdrawn the said Special Civil Suit No. 1519 of 2016 unconditionally. In para No. 8 thereof, she has stated that, said C.R. No. 650 of 2018, be quashed.

6.1) Respondent No.2 is personally present in the Court and through her Advocate reiterates the contents of her Affidavit dated 31st July 2025 and her 'No Objection' for quashing of the crime in-question.

7) In view of the above, we are inclined to quash C.R. No. 650 of 2018, dated 30th May 2018, registered with Hadapsar Police Station, Pune, punishable under Sections 406, 417, 420, 504 and 506 read with 34 of the IPC.

8) As we expressed our opinion for quashing of said crime, Mr. Kantawala, learned counsel for the Petitioners on instructions submitted that, the Petitioners will voluntarily pay a cost of Rs.1,00,000/- jointly or severally, to the Armed Forces Battle Casualties Welfare Fund 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.

8.1) We therefore direct the Petitioners to pay a cost of 1,00,000/- jointly or severally, to the Armed Forces Battle Casualties Welfare Fund within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay.

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

Account Name :- Armed Forces Battle Casualties
Welfare Fund.
Account Number :- 90552010165915.
Bank Name :- Canara Bank.
Branch :- South Block, Defence Headquarters,
New Delhi – 110 011.
IFSC Code :- CNRB0019055.

8.3) Petitioners to pay the said cost of cost of 1,00,000/- jointly or severally, 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, Petition is allowed in terms of prayer clause (a).

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 shall complete the investigation expeditiously.

11) List the Petition on board on 9th September 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)