

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

CRIMINAL WRIT PETITION NO.4118 OF 2025

Aakash Haresh Shah,]
R/o. Gaurav Garden Complex,]
Mira Road, Mira-Bhayander, Thane] .. Petitioner

Versus

1. State of Maharashtra,]
Through Lonavala Police Station]
2. Suchita Santosh Salve,]
R/a. Poonam Cluster-1, Mira Road,]
Thane] .. Respondents

Mr. Jyotiram S. Yadav, Advocate for the Petitioner.
Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr.J.P.
Yagnik, Additional Public Prosecutor for Respondent No.1.
Smt. Priyanka S. Yadav, Advocate for Respondent No.2.

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

DATE : 5TH DECEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

A First Information Report No.514 of 2020 was registered at the instance of the respondent no.2 with Lonavala City Police Station on 22nd December 2020. Subsequently charge-sheet came to be filed in the proceedings bearing RCC No.555 of 2023 before the learned Judicial Magistrate First Class, Vadgaon-Maval, Pune. The petitioner has been granted granted bail by an order dated 12th January 2021 by the learned Sessions Court, Pune. The present Writ Petition is filed under Article 226 of the Constitution of India and section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR and subsequent proceedings arising therefrom.

2. The parties have now amicably settled their differences.

Smt. Yadav, the learned counsel for the respondent no.2 has tendered an affidavit dated 5th December 2025 which records that the respondent no.2 has no objection to quashing of the FIR. It is recorded that the respondent no.2 has executed the consent affidavit with her free consent and without influence and pressure of any other person. Both the parties are present in the Court and identified by their respective counsel. The parties have affixed their signature on a blank piece of paper and recorded appearance in their own handwriting. The appearance and the copies of their Aadhaar cards shall now form part of the record.

3. The Hon'ble Supreme Court in "*Madhukar v. State of Maharashtra*" 2025 SCC OnLine SC 1415 has held that ordinarily quashing of proceedings involving offences of heinous and grievous in nature is discouraged and should not be permitted lightly. However, the inherent power to secure the ends of justice are not constrained by a rigid formula and must be exercised with reference to the facts of each case. In the present case, the differences between the parties have been settled and the respondent no.2 does not wish to proceed with the prosecution. Thus, continuance of proceedings would be an abuse of process of law. **Writ Petition No.4118 of 2025 is allowed** in terms of prayer clause (a) which read as under:

"(a) That this Hon'ble Court be pleased to quash and set aside the impugned F.I.R. No.514 of 2020 registered with Lonavala City Police Station and impugned charge-sheet numbered as R.C.C. No.555/2023 pending before the learned Magistrate Court."

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]