

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

CRIMINAL WRIT PETITION NO.4138 OF 2025

Mr. Vinod Rajpurohit Petitioner
V/s
The State of Maharashtra and Others Respondents.

Mr. Meghshyam Kocharekar, advocate for the petitioner.
Mrs. G.P. Mulekar, APP for the respondent no.1.
Mr. Harshad Sathe a/w Ms. Aishwarya Hinge, advocates for respondent no.2.

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

DATE : 16TH SEPTEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present 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, of the FIR No.39 of 2025 registered with the Uttan Sagari Police Station under section 109(1) of the Bharatiya Nyaya Sanhita, 2023.

2. The FIR was registered at the instance of respondent no.2 (the original complainant) against the petitioner. The FIR pertained to an altercation between the petitioner and the respondent no.2. Subsequently, the differences and misunderstanding between the petitioner and the respondent no.2 has been amicably resolved. Mr. Harshad Sathe, the learned advocate for the respondent no.2 has tendered an affidavit dated 16th September 2025 across the bar recording his no objection to the quashing of the FIR and any proceedings arising therefrom. The same is taken on record and marked "X" for identification.

3. The law is well settled, as held by the Hon'ble Supreme Court in ***B.S. Joshi v. State of Haryana, (2003) 4 SCC 675***, that the Court

is empowered to quash criminal proceedings to prevent abuse of process of law, particularly when the complainant no longer supports the complaint. In the present case, the disputes have been amicably resolved. In these circumstances, continuation of the criminal proceedings would serve no fruitful purpose. In view of the above, the Writ Petition No.4138 of 2025 is allowed in terms of prayer clause (a) which reads as under:-

“a. that this Hon’ble Court may be please to issue writ of mandamus or any other appropriate writ and may be pleased to quash and set aside CR no.39 of 2025 registered with Uttan Sagari Police Station u/s. 109(1) of BNS, against the Petitioner;”

4. Writ Petition No.4138 of 2025 is disposed of in the above terms and pending application, if any, shall also be disposed of.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

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