

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

CRIMINAL WRIT PETITION NO.4228 OF 2025

- | | |
|--|-----------------|
| 1. Chinmay Subhash Dendage |] |
| 2. Bhairu @ Bheraram Pratapram Gujar |] |
| 3. Ashish Kumar Chandrashekhar Chaudhary |] |
| 4. Satvik Rishiraj Jaitly |] |
| 5. Yash Govind Motwani |] ..Petitioners |
| <i>Versus</i> | |
| 1. The State of Maharashtra, |] |
| Through Bhavdhan Police Station, Pune |] |
| 2. Rajesh Manikandan Kanna, |] |
| Original Informant |] ..Respondents |

Mr. Arvind Aswani, Advocate for the Petitioners.

Mrs. G.P. Mulekar, Additional Public Prosecutor for Respondent No.1-State of Maharashtra.

Mr. Tapan Thatte, Advocate for Respondent No.2.

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

DATE : 21ST NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present writ petition is filed under Article 226 of the Constitution of India and section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing, by consent, of the FIR No.101 of 2025 dated 12th March, 2025 filed under sections 140(3), 308(4), 115(2), 352, 351(2), 351(3), and 3(5) of the Bhartiya Nyaya Sanhita, 2023, registered with Bhavdhan Police Station.

2. The parties are present in the court and are identified by their learned counsels. They also tender their handwritten appearance along with their signature and a copy of their Aadhar Card. It is the

case of the respondent no.2 that the petitioners have defrauded the respondent no.2 for an amount of Rs.3,00,000/- under the pretext of selling US Dollar currency at a rate lower than the market price. The present dispute stems from the financial transactions between the petitioners and the respondent no.2. There is a cross FIR numbered 102 Of 2025, filed by the petitioners against the respondent no.2 on 12th March 2025. Subsequently, the respondent no.2 and the petitioners were granted bail by the learned trial Court. Thereafter the parties have arrived at a mutual settlement. The respondent no.2 no longer wants to take criminal action against the petitioner in view of the amicable resolution of differences between the parties. The learned counsel for the respondent no.2 Mr. Thatte reiterates that his client has no objection to the quashing of the FIR and all related proceedings. Respondent no.2 has filed an affidavit of consent dated 9th August, 2025 confirming the settlement and agreement to quash the current proceedings. The said affidavit states that the incident reported in the FIR, arose from a misunderstanding between the parties, and the differences between the petitioner and the respondent no.2 have now been resolved.

3. It is settled law as reiterated by the Hon'ble Supreme Court in "*K. Bharthi Devi v. State of Telangana*" (2024) 10 SCC 384 that certain offences which overwhelmingly bear civil flavour having arisen out of civil, mercantile, commercial, financial, partnership or such like transactions, where the wrong is basically to the victim and the offender and the victim has settled all disputes between them amicably, the High Court would be justified in quashing the criminal proceedings. In view of the above view, **Criminal Writ Petition No.4228 of 2025 is allowed** in terms of prayer clause (a) which read as under:

“(a) That this Hon’ble Court be pleased to issue writ of certiorari or any other appropriate writ, order or direction in the like nature under Article 226 of the Constitution of India r/w. Sec. 523 of Bharatiya Nagarik Suraksha Sanhita, 2023, thereby quashing and setting aside the charge-sheet registered as R.C.C. No.3633 of 2025 before the Ld. Judicial Magistrate First Class, Pune and the impugned F.I.R. No.101/2025 dated 12th March 2025 filed u/s. 140(3), 308(4), 115(2), 352, 351(2), 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 registered with Bavdhan Police Station by the respondent no.2.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]