

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4304 OF 2025**

Nisha Hiro Mulani & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Rohit Kurmi for the Petitioners.

Mr. Vinod Chate APP for the Respondent-State.

Mr. I.K. Tripathi with Adv. Virendra Tripathi for the Respondent No.2.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.
DATE : 11th AUGUST, 2025.**

P.C.:-

1) By this Petition under Article 226 of the Constitution of India, the Petitioners, accused in C.R. No.0278 of 2025, dated 6th June, 2025, registered with Kurla Police Station, Mumbai, for the offences punishable under Sections 333, 115(2), 351(2) and 352 of Bharatiya Nyaya Sanhita, 2023, are seeking quashing of the said crime with the consent of Respondent No.2, the informant.

2) Mr. Kurmi, learned Advocate appearing for the Petitioners submitted that, the Petitioner No.1 is the sister-in-law of Respondent No.2. That, there were family disputes over the immovable property *inter-se*

between the Petitioners and Respondent No.2. That, the said disputes and differences have now been resolved by amicable settlement. As the Respondent No.2 has given his consent for quashing of the said crime, he prayed that, the crime in question may be quashed with consent of the Respondent No.2.

3) Learned Advocate for the Respondent No.2, submitted that, the Respondent No.2 has already filed on record his Affidavit dated 4th August, 2025 duly affirmed before a Notary Public. It is stated therein that, due to intervention of the members of the family of the respective parties, disputes between the Petitioner No.1 and Respondent No.2 and his son Lalit Mulani have been amicably resolved. The Consent Terms dated 1st August, 2025, have been filed in the City Civil Court, Mumbai in L.C. Suit No. 4340 of 2013 and S.C. Suit No.4141 of 2013. In paragraph No.3 thereof, Respondent No.2 has given his no objection for quashing of the crime in question.

3.1) Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 4th August, 2025 and his 'No Objection' for quashing of the crime in question.

4) In view thereof, we are inclined to quash C.R. No.0278 of 2025, dated 6th June, 2025, registered with Kurla Police Station, Mumbai, for the offences punishable under Sections 333, 115(2), 351(2) and 352 of Bharatiya Nyaya Sanhita, 2023.

5) As we expressed our opinion for quashing of C.R. No.0278 of 2025, dated 6th June, 2025, registered with Kurla Police Station, Mumbai, learned Advocate for Petitioners on instructions submitted that for quashing of the said crime, the Petitioners will voluntarily pay a cost of Rs.25,000/- each totalling to Rs.75,000/- jointly or severally, to the 'Armed Forces Battle Casualties Welfare Fund (AFBCWF)' within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

5.1) We therefore direct the Petitioners to pay a cost of Rs.25,000/- each totalling to Rs.75,000/- jointly or severally, to the Armed Forces Battle Casualties Welfare Fund (AFBCWF) within a period of two weeks from the date of uploading of present Order on the official website of High Court of Bombay.

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

Account Name :- Armed Forces Battle Casualties Welfare Fund (AFBCWF).

Account Number :- 90552010165915.

Bank Name :- Canara Bank.

Branch :- South Block, Defence Headquarters,
New Delhi – 110 011.

IFSC Code :- CNRB0019055.

5.3) Petitioners to deposit the said cost within stipulated period as noted above and submit receipt of the same in the Registry of this Court.

6) In view of the above and subject to payment of cost by the Petitioners, Petition is allowed in terms of prayer clause (a).

7) It is made clear that, if the aforementioned cost is not paid within stipulated period as mentioned above, the Petition shall stand revived automatically and in that event, the Investigating Officer shall complete the investigation of the present crime expeditiously.

8) List the Petition on board on 8th September, 2025, under caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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MASHALKAR
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2025.08.19
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