

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

CRIMINAL WRIT PETITION NO.4334 OF 2025

Hetal Vishnubhai Shah,]
R/o. Borivali (West), Mumbai] .. Petitioner

Versus

1. The State of Maharashtra,]
Through M.H.B. Colony Police Station]
2. Shailesh Shivanand Pandey,]
R/o. Vasai, Palghar] .. Respondents

ALONG WITH

CRIMINAL WRIT PETITION NO.2412 OF 2025

Sundeep @ Sandeep Amrutlal Shah]
R/o. Borivali (West), Mumbai] .. Petitioner

Versus

1. The State of Maharashtra]
2. The Senior Inspector of Police,]
M.H.B. Colony Police Station]
3. Shailesh Shivanand Pandey,]
R/o. Vasai, Palghar] .. Respondents

Mr. Vrushabh Savla, Advocate for the Petitioner in both the Petitions.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.1-State of Maharashtra.

Mr. Sartak Vij, Advocate for Respondent No.2 in WP/4334/2025 and for Respondent No.3 in WP/2412/2025.

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

DATE : 20TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Writ Petitions are filed under Article 226 of the Constitution of India and Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking following reliefs:

Prayers in WP/4334/2025

“(a). This Hon’ble Court be pleased to invoke its inherent jurisdiction under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and to pass a direction to quash and/or set aside First Information Report No.118 of 2025 registered on 20.02.2025 with MHB Colony Police Station U/s. 126(2), 351(3), 61(2) of the Bharatiya Nyay Sanhita, 2023 at the instance of respondent no.2.

Prayer in WP/2412/2025

“(i) The Hon’ble Court may be pleased to quash and set aside C.R. No.118 of 2025 registered with M.H.B. Colony Police Station for the offence punishable under sections 126(2), 351(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023 in consequence of settlement of issue between the petitioner and the respondent no.2.”

2. The petitioners in these writ petitions are co-accused persons in the FIR bearing CR No.118 of 2025 dated 22nd February 2025 registered with MHB Colony police station. The FIR was lodged at the instance of the respondent-Shailesh Shivanand Pandey in both the writ petitions. The allegations in the FIR pertains to criminal intimidation and wrongful restraint over differences arising from business rivalries. The parties have now amicably settled their differences.

3. The affidavit of consent on behalf of the respondent-Shailesh Shivanand Pandey dated 17th November 2025 is on record which states that the FIR was lodged pursuant to misunderstanding between parties which now have been settled and he has no objection to quashing of the FIR. It is also on record that the respondent/complainant has submitted his affidavit dated 22nd February 2025 to the concerned investigating officer seeking withdrawal of the said FIR. The parties are present in the Court and identified by their respective counsel. The parties have affixed their signature and recorded their appearance in their own handwriting which shall now form part of the proceedings.

4. In “*Shiji v. Radhika*” (2011) 10 SCC 705 the Hon’ble Supreme Court held that while dealing with a dispute which was purely a personal one and complainant is no longer ready to support the allegations on the ground that the allegations arose from misunderstanding and misconceptions, inherent powers of the High Court can be exercised to prevent abuse of process of law. As the parties have amicably settled their disputes, no useful purpose would be served in continuing with the proceedings. **Writ Petition No.4334 of 2025 is allowed** in terms of prayer clause (a) and **Writ Petition No.2412 of 2025 is allowed** in terms of prayer clause (i) quoted above.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]