

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

CRIMINAL WRIT PETITION NO.4763 OF 2025

Dr. Vivek Rasikraj Wayse Petitioner.
V/s
The State of Maharashtra and
another.Respondents.

Mr. Manuj P. Borkar, advocate for the petitioner.
Mr. J.P. Yagnik, APP for the respondent no.1-State.
Ms. Ranjana Lad a/w Mr. Jayesh Bhosale, advocates for the
respondent no.2.

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

DATE : 16TH SEPTEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The petitioner has filed the present Petition seeking quashing by consent, of the FIR and charge-sheet filed against the petitioner. Respondent no.2 is the original complainant who has filed an FIR No.102 of 2022 for the offences punishable under sections 406 and 420 of the Indian Penal Code on 16th February 2022. Subsequently, on 10th April 2024, respondent no.1 has filed a charge-sheet in the said FIR before the Additional Chief Metropolitan Magistrate, 9th Court at Bandra, Mumbai which is numbered as C.C. No-1556/PW/2024.

2. Ms. Ranjana Lad, learned advocate for the respondent no.2 has tendered an affidavit dated 11th September 2025 of respondent no.2 across the bar and reiterates that respondent no.2 has amicably settled the disputes with the petitioner and does not wish to proceed further against the petitioner. The said affidavit 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.4763 of 2025 is allowed in terms of prayer clause (b) which reads as under:-

“b. quash and set aside the proceedings of C C No.1556 PW 2024 pending before the ld. Additional Chief Judicial Magistrate 09th Court at Bandra, Mumbai arising out of Crime No-102 of 2024 registered by Respondent No.1 viz Khar Police Station filed against the Petitioner for the commission of alleged offences punishable under Sections 420, 406 of the Indian Penal Code.”

4. Writ Petition No.4763 of 2025 stands 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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