

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

CRIMINAL WRIT PETITION NO.5013 OF 2025

Rajesh Munikanand Kanna	] ..Petitioner
<i>Versus</i>	
1. The State of Maharashtra,	]
Through Bhavdhan Police Station, Pune	]
2. Bhairu @ Bheraram Pratap Gujar	] ..Respondents

Mr. Tapan Thatte, Advocate for the Petitioner.

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

Mr. Arvind Aswani, 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.102 of 2025 dated 12th March, 2025 filed under sections 318(4), 316(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and 66-D of the Information Technology Act, 2000 registered with Bhavdhan Police Station.

2. The present dispute arises from the financial transaction between the petitioner and the respondent no.2. There is a cross FIR No.101 Of 2025, filed by the petitioner against the respondent no.2 on 12th March 2025. Subsequently, the respondent no.2 and the petitioner along with others were granted bail by the learned trial Court. Thereafter the parties 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. Mr. Arvind Aswani, the learned counsel for the respondent no.2, reiterates that his client has no objection to the quashing of the FIR and all related proceedings. The respondent no.2 has filed an affidavit-of-consent dated 22nd September 2025 recording 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. The parties are present in Court and identified by their learned counsels.

3. It is settled law as laid down 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.5013 of 2025 is allowed** in terms of prayer clause (A) which read as under:

"(A) Quash and set aside FIR No.102/2025 dated 12th March 2025 registered with Bavdhan Police Station u/s. 318(4), 316(2), 3(5) of the BNS, 2023 and 66-D of the Information Technology Act, 2000."

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]