

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

WRIT PETITION NO.5080 OF 2025

- | | | |
|---|---|----------------|
| 1. Sawarmal S/o Pawan Kumar Agarwal |] | |
| 2. Kanchan W/o. Amit Kumar Tibarewala |] | .. Petitioners |
| <i>Versus</i> | | |
| 1. The State of Maharashtra, |] | |
| Through Kashigaon Police Station |] | |
| 2. Romit Nitin Solanki |] | |
| 3. Amit Kumar S/o. Anand Kumar Tibarewala |] | |
| 4. Pawan Kumar S/o. Gopiram Agarwal |] | .. Respondents |

Mr. Ashok M. Saraogi with Mr. Sushil Upadhyay and Ms. Priti Rao, Advocates for the Petitioners.

Mr. Sawarmal S/o Pawan Kumar Agarwal - Petitioner No.1 is present in Court.

Mr. Ritesh Tiwari i/b Mr. Tarun Sharma, Advocates for Respondent No.2.

Mr. Romit Nitin Solanki – Respondent No.2 is present in Court.

Mr. Anand R. Kandoi, Advocate for Respondent No.4.

Mr. Pawan Kumar s/o Gopiram Agarwal – Respondent No.4 is present in Court.

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

DATE : 1ST OCTOBER 2025.

Per, Gautam A. Ankhad, J.

The present Writ Petition is filed under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure, 1973 seeking quashing, by consent, of the F.I.R. No. 146 of 2025 registered with the Kashigaon Police Station under sections 406, 420, 463, 465, 471 r/w 34 of the Indian Penal Code, 1860.

2. The FIR was registered at the instance of the respondent no.2

(the original complainant) against the petitioners. The FIR pertained to certain misunderstandings between the petitioner and the respondent no.2. Subsequently, the differences and misunderstanding between the petitioner and the respondent no.2 has been amicably resolved.

3. The respondent no.2 has filed an affidavit dated 01st October 2025 recording his no objection to the quashing of the FIR and any proceedings arising therefrom. The same is taken on record and marked as "X" for identification. Mr. Ritesh Tiwari, the learned counsel for the Respondent No.2 reiterates his client's no objection to the quashing of FIR.

4. It is settled law that the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law, particularly, when the complainant no longer supports the complaint. Therefore, continuation of the criminal proceedings would serve no fruitful purpose. In view of the above, Writ Petition No.5080 of 2025 is allowed in terms of prayer clause (a), which reads as under:-

"(a) That this Hon'ble Court be pleased to issue appropriate writ, order and direction directing the quashing of the FIR No. 146 of 2025 registered under the provisions of Section 406, 420, 463, 465, 471 read with Section 34 of the Indian Penal Code, on such terms as this Hon'ble Court may deem fit and proper;"

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]