

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

CRIMINAL WRIT PETITION NO.5121 OF 2025

1. Mahesh Chachan	]	
2. Ankit Mahesh Chachan	]	.. Petitioners
<i>Versus</i>		
1. The State of Maharashtra,	]	
Through Malabar Hill Police Station, Mumbai	]	
2. Krishnakumar Santoshkumar Kedia	]	.. Respondents

Mr. Vijaykumar Mishra with Mr. Kunal Patel, Advocates for the Petitioners.

Mrs. Mahalaxmi Ganpathy, Additional Public Prosecutor for Respondent No.1.

Mr. Aayush Kedia, Advocate for Respondent No.2.

Mr. Mahesh Chachan and Mr. Ankit Mahesh Chachan, Petitioner Nos.1 and 2 are present in Court.

Mr. Krishnakumar Santoshkumar Kedia, Respondent No.2 is present in Court.

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

DATE : 11TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The petitioners and the respondent no.2 are present in Court. They have submitted their appearance which is taken on record.

2. The present Writ Petition is filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing, by consent, of the FIR No.78 of 2024 dated 1st April, 2024 registered with the Malabar Hill Police Station under sections 34, 406, 409, 420 of the Indian Penal Code, 1860, Final Report dated 31st July, 2025 passed in Police Case No.PW/499/2025 pending before the

Ld. Judicial Magistrate (First Class), 40th Court, Girgaon, Mumbai along with the Police Case No.PW/499/2025 Ld. Judicial Magistrate (First Class), 40th Court, Girgaon, Mumbai.

3. It is the case of the prosecution that the respondent no.2 had sold sarees worth Rs.3,50,792/- (Three Lakh Fifty Thousand Seven Hundred and Ninety-Two Rupees Only) via one agent named Mr. Vijay Jaiswal to the petitioners. The petitioner made a payment of only Rs.57,677/- and failed to pay the balance sum of Rs.2,93,125/-.

4. The parties have resolved their disputes and the petitioners have paid the balance amount to the respondent no.2. The respondent no.2 has filed an affidavit of settlement dated 25th June, 2025 recording his settlement and consent to quash the present proceedings. The same was filed before the Ld. Judicial Magistrate (First Class), 40th Court, Girgaon, Mumbai in Bail Application No.481 of 2025. The said affidavit of settlement is at “Exhibit – E” in the present petition. Mr. Kedia, the learned counsel for the respondent no.2 reiterates his clients’ no objection to the quashing of FIR and all proceedings arising therefrom.

5. The law as laid down in “*Manoj Sharma v. State, (2008) 16 SCC 1*” reiterates that the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law and meet the ends of justice, especially in light of civil disputes wherein the complainant no longer wishes to pursue their complaint. In view of the above, Writ Petition No.5121 of 2025 is allowed.

6. There would be no order as to costs.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]