

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

CRIMINAL WRIT PETITION NO.5296 OF 2025

Ibrahim Ismail Lakdawala,]
Having Office at Mazgaon, Mumbai] .. Petitioner

Versus

1. The State of Maharashtra,]
Through Deonar Police Station]
2. Ramalingam Narayan Padiyachi,]
R/o. Deonar, Mumbai] .. Respondents

Mr. Sohail Ahmed, i/by Mr. Rajendra Rathod, Advocates for the Petitioner.

Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.1.

Mr. Suresh Upadhyay, Advocate for Respondent No.2.

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

DATE : 7TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present petition has been filed under Article 226 of the Constitution of India and section 482 of the Code of Criminal Procedure, 1973 *inter alia* seeking following prayer:

“a. That this Hon'ble Court be pleased to quash the FIR bearing No. 0088 of 2025 dated 6/02/2025 registered with Deonar Police Station under Section 406,420 & 506 with 34 of IPC on any terms and Condition as this Hon'ble Court deem fit and proper.”

2. The FIR dated 6th February 2025 was lodged at the instance of the respondent no. 2 on the grounds that the petitioner had deceived him by accepting payments on the false assurances of allotting three shops in a building that the petitioner was constructing.

3. Mr. Sohail Ahmed, the learned counsel for the petitioner refers to an affidavit and the consent terms dated 24th September 2025 vide Exhibits “D” and “E” at pages 41-48 of the paper-book and submits that the disputes between the parties have been settled amicably and that they do not have any further grievances against each other. Mr. Suresh Upadhyay, the learned counsel for the respondent no.2 confirms the same. The respondent no.2 is present in Court and is identified by Mr. Upadhyay. The respondent no.2 has submitted his appearance in his own handwriting, which is taken on record. The respondent no.2 confirms the settlement of disputes between the parties.

4. It has been held in “*Jaswant Singh v. State of Punjab*”, (2022) 19 SCC 451 that criminal cases having predominantly civil flavour, particularly offences arising from commercial financial, mercantile, civil, partnership or such like transactions where parties have resolved their disputes under section 482 of the Code of Criminal Procedure 1973 ought to be exercised to secure ends of justice. In the present case, the settlement has been reached between the parties and payments have also been made by the petitioner. In light of these circumstances, Writ Petition No.5296 of 2025 is allowed in terms of prayer clause (a) quoted above.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]