

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

CRIMINAL WRIT PETITION NO.5307 OF 2025

Vishwa Bandhu Jaiswal

] .. Petitioner

Versus

1. The State of Maharashtra,
Through MIDC Police Station
2. XYZ – Original Complainant

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] .. Respondents

Mr. Ashok M. Saraogi with Mr. Siddharth Jaiswal, Mr. Ranjeev Carvalho and Ms. Priti Rao, Advocates for the Petitioner.

Mr. S.V. Gavand, Additional Government Pleader for Respondent No.1.

Mr. Sushil Pandey, Advocate for Respondent No.2.

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

DATE : 2ND DECEMBER 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 FIR and consequential proceedings.

2. Mr. Pandey, learned advocate for the respondent no.2 tenders a copy of the consent affidavit of the respondent no.2 dated 9th October 2025 and 21st November 2025 to quash the FIR and consequential proceedings. The same are taken on record and shall form part of the proceedings of this Court. A copy of the consent affidavit dated 22nd September, 2025 filed in Anticipatory Bail Application No. 1216 of 2025 before the Sessions Court at Dindoshi, Goregaon, Mumbai and annexed as “Exhibit-C” of this writ petition. The affidavits record that present dispute has been amicably resolved between the petitioner and respondent no.2. The

respondent no. 2 no longer wants to take criminal action against the petitioner.

3. The law as laid down in “*Madhukar v. State of Maharashtra, 2025 SCC OnLine SC 1415*” reiterates that the Court is empowered to quash the criminal proceedings to meet the ends of justice, especially in cases wherein the complainant no longer wishes proceed with prosecution. In view of the above, **Writ Petition No.5307 of 2025 is allowed** in terms of the prayer (a) quoted below:

“(a) That this Hon’ble Court be pleased to issue appropriate writ, order and direction directing the quashing of FIR No.360 of 2025 registered under the provisions of section 64 of B.N.S. registered by the respondent no.1 at the instance of the respondent no.2 along with the charge-sheet which has been filed before the M.M. 22nd Court at Andheri vide C.C. No.2617/PW/2025 on such terms as this Hon’ble Court may deem fit and proper.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]