

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

CRIMINAL WRIT PETITION NO.5657 OF 2025

Eashwar Ramasubbu Suriyanarayan]
R/o. Hanuman Nagar, Nashik] .. Petitioner

Versus

1. The State of Maharashtra,]
Through Ambad Police Station, Nashik]
2. Rahul Rajendra More]
R/o. Datta Nagar, Ambad, Nashik] .. Respondents

Mr. Sachin Gite, Advocate for the Petitioner.

Mr. J.P. Yagnik, Additional Public Prosecutor for Respondent No.1.

Mr. Suyog C. Shah, Advocate for Respondent No.2.

The Petitioner and the Respondent No.2 are present in the Court.

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

DATE : 17TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Writ Petition is filed under Articles 226 and 227 of the Constitution of India seeking quashing, by consent, of the charge-sheet bearing No.84/2024 filed by the respondent no.2 before the learned District and Sessions Court, at Nashik arising out of FIR No.699/2024 for the offences punishable under sections 351(1), 352 of the Bhartiya Nyaya Sanhita, 2023 read with section 3(1)(r)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. The present dispute arises out of a request for payment of Provident Fund made by the respondent no.2 who is working at Fortuna Company in Ambad M.I.D.C. It is the case of the prosecution that the respondent no.2 was in dire need of money and had requested the payment of the provident fund that he is entitled to by virtue of his employment. The petitioner abused the

respondent no.2 and verbally subjected him to racial slurs thereby committing the said offences as alleged. It is submitted by the parties that pursuant to the filing of the FIR, the parties have arrived at an amicable settlement and the same is recorded in the compromise terms dated 30th September 2025. A copy of the said compromise terms is also annexed to the present petition as “Exhibit-B”.

3. The parties are present in the Court and identified by their respective advocates. They have also tendered a self-handwritten appearance which is taken on record and shall form part of the present proceedings. Mr. Shah, the learned counsel for the respondent no.2 tenders an affidavit dated 17th November, 2025 recording his client’s consent and no objection to the quashing of the present proceedings.

4. The law as laid down by the Hon’ble Supreme Court in “*Nikhil Merchant v. CBI*” (2008) 9 SCC 677 reiterates that the Court is empowered to quash the criminal proceedings to meet the ends of justice, especially in light of civil disputes with criminal facets wherein the complainant no longer wishes proceed with their complaint. In view of the above, **Writ Petition No.5657 of 2025 is allowed** in terms of prayer (a) which reads as under:-

“a] *This Hon’ble Court may be pleased to call for the records and proceedings of the impugned charge-sheet bearing No.84/2024 filed by the respondent no.1 arising out of the First Information Report No.699/2024 filed by the respondent no.2 against the petitioner for the offences punishable under sections 352, 351[2] of the Bharatiya Nyaya Sanhita, 2023 r/w. section 3[1][r][s] of the Scheduled Caste and Scheduled Tribe [Prevention of Atrocities] Act, 1989 at Ambad Police Station, Nashik City, Nashik and after going through it, this Hon’ble Court may be pleased to quash and set aside the same.*”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]