

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

CRIMINAL WRIT PETITION NO.5795 OF 2025

Smt. Madhu Abhay Shah,]
R/o. Old Prabhadevi, Mumbai] .. Petitioner

Versus

1. The State of Maharashtra,]
Through Dadar Police Station]
2. Vandana Harshada Rana,]
R/o. Old Prabhadevi, Mumbai] .. Respondents

Mr. J.S. Kini with Mr. Aum Kini, i/by Ms. Sapna Krishnappa,
Advocates for the Petitioner.

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

Mr. Reshant Shah with Ms. Reema Sahani, Advocates, i/by Lex
Conseiller, for Respondent No.2.

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

DATE : 18TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present criminal Writ Petition is filed under Article 226 of the Constitution of India and section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of the proceedings bearing no.306/PW/2015 pending before the learned 5th Metropolitan Magistrate Court, Dadar. The proceedings are pending pursuant to an FIR dated 24th November 2014 registered with the Dadar Police Station for offences punishable under sections 465, 471, 385, 504, 506 and 34 of the Indian Penal Code, 1860.

2. The allegations against the petitioner involved in the present dispute pertain to fabrication of minutes of the minutes of the co-

operative society's meeting and further threatening of stoppage of work. The proceedings had been initiated before the competent co-operative court, which have been dismissed in default as they have not been prosecuted by the society.

3. The parties have now amicably settled the dispute between them. Mr. Shah, the learned counsel for the respondent no.2 has tendered an affidavit dated 8th November 2025 which is taken on record. The said affidavit records that the respondent no.2 has no objection to the FIR being quashed. The parties are present in the Court and identified by their respective counsels. The parties have tendered their handwritten appearance which is taken on record and the same shall form part of the proceedings.

4. The Hon'ble Supreme Court in "*Jaswant Singh v. State of Punjab*" (2022) 19 SCC 451 has held that in cases where the wrong involved is predominantly civil in nature and the parties have resolved their dispute, the High Court may quash the proceedings to serve the ends of justice. Considering the settlement arrived between the parties, the continuation of the proceedings before the learned magistrate court would be abuse of the process of law. In light of the same, **Writ Petition No.5795 of 2025 is allowed** in terms of prayer clause [a] which reads as under:

"[a] That this Hon'ble Court be pleased to issue a Writ of Certiorari or writ in the nature of certiorari calling for the papers and proceedings of case 306/PW/2015 pending before the 5th Metropolitan Magistrate Court, Dadar and after hearing counsel on behalf of the parties be pleased to set aside and quash the same."

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]