

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

CRIMINAL WRIT PETITION NO.6117 OF 2025

1. Asha Nandakumar Chaure	]	
2. Babumiya Abdul Gaffur Kawal	]	.. Petitioners
Versus		
1. The State of Maharashtra,	]	
Through Powai Police Station, Mumbai	]	
2. Vijay Uddhav Kubal	]	.. Respondents

Mr. Rishikesh Mohite with Mr. Mehta, Advocates for the Petitioners.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. S.V. Gavand, Additional Public Prosecutor for Respondent No.1-State of Maharashtra.

Mr. Niranjana Mundargi, i/by Mr. Kunal Ambulkar, Advocates for Respondent No.2.

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

DATE : 17TH 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 Bhartiya Nagarik Suraksha Sanhita seeking following prayers:

“(A). This Hon’ble Court be pleased to quash and set aside the criminal proceedings being C.C. No.119/PW/2016 pending on the file of the Ld. Judicial Magistrate First Class, 66th Court, Andheri, Mumbai arising out of F.I.R. bearing No.249 of 2015 registered with Powai Police Station for offences punishable under sections 452, 448, 427, 506 r/w. 34 of I.P.C. in the interest of justice.”

2. The petitioners are the accused in the First Information Report bearing No.249 of 2015. The respondent no.2 works as a security personnel for HGP Community Private Limited (formerly known as M/s. Lake View Developers). By a Board Resolution

dated 30th September 2025, the respondent no.2 is authorised to represent HGP Community Private Limited in the present proceedings. The FIR was lodged at the instance of the respondent no.2 for offences punishable under sections 452, 448, 427, 506 read with 34 of the Indian Penal Code, 1860 with Powai Police Station. Subsequently, a charge-sheet bearing C.C. No.119/PW/2016 has been filed before the learned Judicial Magistrate First Class, Andheri, Mumbai.

3. The parties now have settled their disputes amicably. Mr. Mundargi, the learned advocate for the respondent no.2, has tendered an affidavit dated 9th December 2025 across the Bar which records that the respondent no.2 no longer has any other grievance against the petitioner and has no objection to quashing of the FIR. Respondent no.2 is present in Court and identified by his counsel. Respondent no.2 has affixed his signature on plain piece of paper and recorded his appearance in his own handwriting. The handwritten appearance and copy of his Aadhaar card shall now form part of the record.

4. In “*Gian Singh v. State of Punjab*” (2013) 1 SCC (Cri) 160, the Hon’ble Supreme Court held that the high court may exercise its inherent powers where disputes are private in nature to serve ends of justice and prevent abuse of process of law. In light of settlement arrived at by the parties, no useful purpose would be served in continuing with the proceedings. **Writ Petition No.6117 of 2025 is allowed** in terms of prayer clause (A) and the FIR and all consequential proceedings are quashed and set aside.

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[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]