

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.6126 OF 2025**

1. Gangaprasad Deviprasad Sharma	)	
Age 39 years Occ. Service	)	
Room No.1, Pashupati Dubey Chawl,	)	
Gaodevi Road, Poisar, Mumbai 400101.	)	
	)	
2. Akhilesh Sabhapati Tiwari	)	
Age 40 years Occ. Business,	)	
R/at Room No.1 Ashok and Bhaskar	)	
Chawl, Indira Chowk, Gaodevi Road,	)	
Near Pooja Medical Poisar Kandivali East,	)	
Mumbai – 400 101.	)	
	)	
3. Mr. Vivek Phoolchandra Shukla	)	
Age 40 years Occ. Business	)	
Prabhu Nivas, Ramrace Pandey Chawl,	)	
Room No.1 Gaodevi Road, Indira Chwok,	)	
Poisar, Kandivali E, Mumbai 400 101.	)	Petitioners.
V/s.		
1. The State of Maharashtra.	)	
2. Mr. Krishna Birendra Jha	)	
Age 29 years, Occ: Business	)	
residing at Hariharpur, Pindharuch,	)	
Darbhangha Bihar 847306.	)	Respondents.

Mr. Bakul Bhosale, advocate for the petitioners.
Mr. Rajeev Chaudhary, advocate for the respondent no.2.
Mr. K.K. Saste, APP for the respondent no.1-State.

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

DATE : 9th 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, 2023 seeking quashing of F.I.R. bearing no.318 of 2017, registered with Samta Nagar Police Station, and charge sheet bearing C.C. No.1731/PW/2018 pending in the file of the 17th Court of the JMFC at Borivali under section 324, 326, 452, 427 r/w 34 of the Indian Penal Code against the Petitioners.

2. The petitioners and the respondent no.2 were neighbors in a commercial complex named as “V Mall” wherein both of them were conducting their respective business. On 21st July 2017, there was an altercation between the petitioners and the respondent no.2 which culminated into the present F.I.R bearing no. 318 of 2017. A chargesheet is filed in the present matter bearing CC No. 1731/PW/2018 with the 17th Court at J.M.F.C. Borivali and the same is pending before the learned Court.

3. The parties have now settled their disputes. The learned advocates submit that the dispute is of a trivial nature and over the passage of time, the relations between the petitioners and the respondent no.2 have improved and the parties have decided to put a quietus to the said issue.

4. Mr. Chaudhary, the learned counsel for the respondent no.2 has tendered an affidavit dated 8th December 2025 across the bar which records that the respondent no.2 had settled the differences with the petitioners and has no objection to the quashing of the said FIR and proceedings arising therefrom. The affidavit is taken on record and attached at the appropriate place. The parties are present in the Court and are identified by their respective advocates. The parties have also affixed their signatures and recorded their appearance in their own handwriting on a blank sheet of paper. The appearance of the parties and copies of their Aadhaar Cards are

taken on record.

5. As held by the Supreme Court in “Gian Singh v. State of Punjab,” (2012) 10 SCC 303, the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law and meet the ends of justice. As the disputes are amicably resolved, we are of the view that no fruitful purpose would be served by continuing the prosecution against the petitioners. Accordingly, the present **Criminal Writ Petition No. 6126 of 2025 is allowed** in terms of prayer clause (a) which reads as under:-

“a) That the Hon’ble Court may be pleased to quash and set aside the F.I.R. bearing no.318 of 2017, registered with Samta Nagar Police Station, and charge sheet bearing C.C. No.1731/PW/2018 pending in the file of the 17th Court of the JMFC at Borivali under section 324, 326, 452, 427 r/w 34 of the Indian Penal Code against the Petitioners;”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

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by BHARAT
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PANDIT
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