

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.6148 OF 2025**

1. Rajaram Bhagwan Jha	)	
Age 37 years Occ. Business	)	
R/at Flat – 502, Shivalaya Building,	)	
Hermitge Complex, Mahavishnu	)	
Mandir, Mira Road (E), Thane-401107.	)	
	)	
2. Krishna Virendra Jha	)	
Age 29 years, Occ. Service	)	
R/at Hariharpur, Pindaruch	)	
Darbhangha, Bihar 847306.	)	
	)	
3. Mr. Hitesh Omprakash Pandey	)	
Age 36 years, Occ. Business	)	
R/at C-201 Gokul Garden CHS Ltd.	)	
Thakur Complex Opp. Vasant Pride,	)	
Mumbai – 400 101.	)	 Petitioners
V/s		
1. The State of Maharashtra.	)	
2. Mr. Gangaprasad Deviprasad Sharma	)	
presently residing at Room No.1, Pashupati	)	
Dubey Chawl, Gawdewi Road, Poisar,	)	
Mumbai – 400 101.	)	 Respondents.

Mr. Rajeev R. Chaudhary, advocate for the petitioners.
 Mrs. M.M. Deshmukh, I/C P.P. a/w Mr. K.V. Saste, APP for the
 respondent no.1-State.
 Mr. Bakul Bhosale, advocate for the respondent no.2.

**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 by consent of F.I.R. bearing

No.317/2017, registered with Samta Nagar Police Station, and charge sheet bearing C.C. No.1938/PW/2019 pending in the file of the 17th Court of the JMFC at Borivali under section 324, 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. A chargesheet is filed in the present matter bearing CC No. 1938/PW/2019 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. Bhosale, 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. 6148 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.317/2017, registered with Samta Nagar Police Station, and charge sheet bearing C.C. No.1938/PW/2019 pending in the file of the 17th Court of the JMFC at Borivali under section 324, 452, 427 r/w 34 of the Indian Penal Code against the petitioners.”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

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Date: 2025.12.15
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