

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

CRIMINAL WRIT PETITION NO.6438 OF 2025

Karan Vinod Mansinghani,	]	
R/o. Sadguru Shlok, Bandra, Mumbai	]	.. Petitioner
Versus		
1. The State of Maharashtra,	]	
Through Khar Road Police Station	]	
2. The Senior Inspector of Police,	]	
Through Khar Road Police Station	]	
3. Rakeshkumar Teraskumar Gaud,	]	
R/o. Jawahar Nagar, Khar, Mumbai	]	.. Respondents

Mr. Vinayak R. Kumbhar, advocate for the petitioner.

Mr. S.V. Gavand, Additional Public Prosecutor for the respondent nos.1 and 2.

Mr. Aniket S. Phapale, i/by Ms. Dolly Kotwani, advocates for the respondent No.3.

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

DATE : 8TH DECEMBER 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 *inter alia* seeking the following relief: -

“(c). That this Hon’ble Court be pleased to quash and set aside the FIR No.396 of 2021 registered with Khar Police Station, Mumbai on 11.5.2021 for the offences punishable under sections 324, 427, 504 and 506[2] of Indian Penal Code, 1860 and sections 37[1][A], 135 of the Bombay Police Act, 1951 and all consequential proceedings including the charge-sheet filed before the learned Addl. Chief Metropolitan Magistrate 9th Court, Bandra, Mumbai.”

2. The respondent no.3 is an employee at the New Liberty Drugs Corner, Shop no.7, Louis Bell building, 16th Cross, 13th

Road Junction, opp. Shri Sagar Hotel, Khar (West), Mumbai along with his co-workers Mr. Kamlesh Morya and Mr. Zaheer Ahmed. On 11th May, 2021, at about 0030 hours, when the petitioner visited and purchased items worth Rs. 40/- from the said store, there was an altercation between the parties arising out of the payment of the said items which led to the filing of the present FIR against the petitioner. Subsequently, a chargesheet bearing CC No.2647/PW/2022 is filed before the Ld. Addl. Chief Metropolitan Magistrate, 9th Court, Bandra, Mumbai.

3. Mr. Kumbhar, the learned counsel for the petitioner submits that his client was suffering from Antisocial Personality Disorder, Impulse Control Disorder and Poly-substance abuse and at the time of the incident, he was undergoing active medication and therapy for the said medical condition. Further, the petitioner has also been admitted to and treated at a rehabilitation centre as part of his mental health management. In support of his submission, he submits that a certificate dated 25th November, 2025 issued by one Dr. Rohann Bokdawala (M.D.) who is the psychiatrist of the petitioner is annexed as “Exhibit-C” of the present petition.

4. We have heard the learned counsels appearing for the parties. The parties have now amicably settled disputes amongst them. Pursuant to the filing of the FIR, the petitioner and the respondent no.3 have entered into consent terms dated November, 2025 whereby both the parties have agreed to settle the disputes and differences between them in view of the subsequent dialogue and the intervention of mutual acquaintances. The said consent terms is annexed as “Exhibit-D” at page 38 to the present petition.

5. Mr. Aniket S. Phalpale, learned counsel for the respondent

no.3 confirms the settlement & tenders an affidavit of consent dated 26th November 2025 which records that the respondent no.3 has no objection to quashing of the criminal proceedings in view of the settlement reached between the parties. The affidavit further records that the respondent no.3 has realised the petitioner is suffering from certain mental health issues and that the incident occurred when the petitioner was not in a proper state of mind. Hence, the respondent no.3 does not wish to proceed with the FIR or any criminal proceedings arising therefrom. The said affidavit is annexed to the present petition as “Exhibit-E”. The learned counsels for the parties have tendered details of the Aadhaar Cards of their respective client. The same are taken on record and attached at the appropriate place.

6. The Hon’ble Supreme Court in “*Naushey Ali v. State of U.P.*” (2025) 4 SCC 78 held that the High Court can invoke its inherent power to quash criminal cases, provided the court is satisfied that an amicable settlement has been reached, which serves the interests of justice. The parties have settled their dispute and the continuance of proceedings would not be a fruitful exercise. In light of the same, **Criminal Writ Petition No.6438 of 2025 is allowed** in terms of prayer clause (c).

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

Digitally signed by
BHARAT
DASHARATH PANDIT
Date: 2025.12.15
20:39:51 +0530