

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 533 OF 2025

Mr. Adnan Fakhruddin Kanorwala And Ors. ...Applicants

V/s.

The State of Maharashtra And Anr. ...Respondents

Mr. Hrishikesh Mundargi a/w Ms. Shrishti Singh, for the Applicants.

Mrs. Kranti T. Hiwrale, A.P.P., for the Respondent - State.

Mr. Rajendra B. Mokashi, for the Respondent No.2.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.**

DATE : 10TH NOVEMBER, 2025.

P.C. :-

1. This application is filed by the applicants seeking quashing of the FIR which was registered vide C.R.No. 1373/2024 with the Bandra Police Station. It appears that post registration of the FIR, consent terms were entered into between

the applicants and Respondent No.2 – Mr. Balu Sajaba Dhatrak, the Authorised Representative of Ultra Life Spaces Pvt. Ltd. The said consent terms were filed in the Anticipatory Bail Application filed by applicant No.1. The said consent terms are at Exhibit-B at page No. 31 of the Application. Clause- VI &VIII of the said consent terms entered into between the parties reads thus :-

“VI. That the Org. Complainant/First Informant agrees to remain present as and when directed by the court and to provide his consent during the proceedings for the quashing of F.I.R. bearing C.R. No. 1373 of 2024, dated 24.09.2024.

VIII. It is specifically agreed that there shall be no intentional delay in the compliance with these Consent Terms. Both parties hereby undertake to strictly adhere to and abide by all the terms and conditions set forth herein.”

2. Today when confronted, the learned Counsel for the Respondent No.2 does not dispute that the consent terms were entered into between the parties.

3. We find that the learned Counsel for the Respondent No.2 is deliberately seeking long time to file an affidavit in the

aforesaid application despite filing consent terms in the Anticipatory Bail Application and accepting Rs. 65 lakhs from the present applicants. In this view of the matter, we deem it appropriate to direct the Directors of the Ultra Life Spaces Pvt. Ltd. to personally remain present before us on **12th November 2025 at 11:00 a.m.** Both the Directors shall now file affidavit in this Court in terms of the consent terms entered into between the parties.

4. Considering the conduct and the manner in which the matter has been argued by the Counsel for the Respondent No.2, we feel that the Respondent No.2 i.e. original complainant is not only abusing the process of the Court but is also abusing the investigation process by keeping it pending, despite consent terms being entered into between the parties.

5. Stand over to **12th November 2025.**

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)