



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.557 OF 2025

- | | | | |
|----|--|---|--------------|
| 1. | Ketan Dahyabhai Patel |) | |
| | Age – 50 years, Occupation - Business, |) | |
| | Having address at – Ghelwad Faliya, |) | |
| | Dbhel, Nani Daman, Daman |) | |
| 2. | Swapnil Vinod Patel |) | |
| | Age – 45 years, Occupation – Service |) | |
| | Having address at – Ghelwad Faliya, |) | |
| | Dbhel, Nani Daman, Daman |) | |
| 3. | Ms. Jagruti Dahyabhai Patel |) | |
| | Age – 45 years, Occupation – Business |) | |
| | R/at : Ghelwad Faliya, Dbhel, |) | |
| | Nani Daman, Daman |) | |
| 4. | Mr. Jignesh Dahyabhai Patel |) | |
| | Age : 46 years, Occupation : Business |) | |
| | R/at: Ghelwad Faliya, Dbhel, |) | |
| | Nani Daman, Daman |) | ..Applicants |

Vs.

- | | | |
|----|---------------------------------------|---|
| 1. | The Union Territory of Daman & Diu |) |
| | (At the instance of – The Senior PI., |) |
| | Nani Daman Police Station, Daman) |) |

2. Shri Rakesh Goyal)
(Authorized signatory of Wellknown)
Polysters Ltd))
R/a: B3-202, Royal Dreams,)
Vapi-Chala Road, Vapi, Gujarat)
3. The State of Maharashtra) ..Respondents

Mr. Vikram Sutaria i/b. Mr. Agastya Desai for Applicants.

Mr. Aayush Kedia a/w. Mr. Shantanu Nakashe h/f. Mr. H. S. Venegavkar for Respondent No.1.

Mr. Hrituraj Singh for Respondent No.2.

Smt. M. M. Deshmukh, APP for Respondent No.3-State.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**

DATE : 8th July, 2025.

JUDGMENT (Per : Rajesh S. Patil, J.):

1) Applicants, accused in CC No. 41/2024 pending on the file of learned Judicial Magistrate First Class at Daman, District – U. T. of Dadra & Nagar Haveli, Daman, arising out of C.R. No. 104 of 2018 dated 11th September 2018, registered with Nani Daman Police Station, Daman, under Sections 386, 120-B read with 34 of Indian Penal Code, have filed present Application under Section 482 of Code of Criminal Procedure for quashing of the said case with the consent of Respondent No.2, the informant.

2) Learned Advocate for Applicants submitted that, the Applicants and Respondent No.2 have settled their disputes and differences amicably

vide Consent Terms dated 25th April 2025, stating that, the FIR was filed on the basis of misunderstanding and miscommunication of facts. He therefore submitted that, the said case may be quashed with the consent of Respondent No.2.

3) Learned Advocate for Respondent No.2 has tendered across the Bar, Affidavit of Respondent No.2, dated 8th July 2025, duly affirmed before a Notary Public. To the said Affidavit, the Consent Terms dated 25th April 2025 is annexed. In Paragraph No. 6 thereof, the Respondent No.2 has admitted the fact of Consent Terms dated 25th April 2025. In Paragraph No.8 thereof, the Respondent No.2 has given his no objection for quashing of the said crime.

4) In view thereof, we are inclined to quash CC No. 41/2024 pending on the file of learned Judicial Magistrate First Class at Daman, District – U. T. of Dadra & Nagar Haveli, Daman, arising out of C.R. No. 104 of 2018 dated 11th September 2018, registered with Nani Daman Police Station, Daman.

5) As we expressed our opinion for quashing of CC No. 41/2024 pending on the file of learned Judicial Magistrate First Class at Daman, District – U. T. of Dadra & Nagar Haveli, Daman, arising out of C.R. No. 104 of 2018 dated 11th September 2018, registered with Nani Daman Police Station, Daman, learned Advocate for Applicants on instructions submitted that, the Applicants will pay a cost of Rs.50,000/- each, totalling to

Rs.2,00,000/-, jointly or severally, to the Bar Council of Maharashtra and Goa's Advocate Academy & Research Center, within a period of two weeks from the date of uploading of present Judgment on the official website of High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

6) We therefore direct the Applicants to pay a cost of Rs.50,000/- each, totalling to Rs.2,00,000/-, jointly or severally, to the Bar Council of Maharashtra and Goa's Advocate Academy & Research Center, within a period of two weeks from the date of uploading of present Judgment on the official website of High Court of Bombay.

6.1) Details of the bank account of payment of cost are as under :-

Account Name	:	BCMG'S Advocate Academy & Research Center.
Account Number	:	000120110001327
Bank Name	:	Bank of India
Branch Name	:	Mumbai Main Branch
IFS Code	:	BKID0000001
Type of Account	:	Current Account

6.2) Applicants to deposit the said cost within stipulated period as noted above and submit receipt(s) of the same in the Registry of this Court.

7) In view of the above and subject to payment of cost by the Applicants, Application is allowed in terms of prayer clause (a).

8) It is made clear that, if the cost is not paid within stipulated period as mentioned above, the Application shall stand revived automatically and in that event, the trial Court will proceed with the said case expeditiously.

9) List the Application on board on 12th August 2025, under caption 'for reporting compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)