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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 580 OF 2025

1. Rajiv Liladhar Chaudhary
Aged, 63, Occupation – Business,

2. Kumud Rajiv Chaudhary
Age : 57 years, Occu. - Retired,
R/a : 203/A, Saraswati Apartment,
Sahakar Gram, Ashok Nagar,
Road No.3, Kandivali, Mumbai.

...Applicants

Versus

1. The State of Maharashtra
(Through Sr.Inspector of Police
Samta Nagar Police Station, Kandivali)

2. Akash Mahendra Sheth
Aged 75 yrs. Occ.:
Add/at, B/107, Bhumi Samkit,
Opp. H.D.F.C. Bank, Mahavir Nagar,
Kandivali (West), Samta Nagar,
Mumbai 400 067.

...Respondents

Mr. Mandar Soman for the Applicants.

Mr. V.B.Konde Deshmukh, Addl.PP for the Respondent-State.

Mr. Anil D'souza i/b Ms. Achala Hatode for the Respondent No.2.

PSI – Mr. Bajrang Desai attached to Samta Nagar Police Station,
present.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 22nd DECEMBER, 2025**

ORAL JUDGMENT (PER REVATI MOHITE DERE, J.)

1. Heard learned Counsel for the parties.
2. Rule. Rule is made returnable forthwith with the consent of the parties and is taken up for final disposal.
3. Learned A.P.P waives notice on behalf of the respondent No.1 and Mr. D'souza waives notice on behalf of the respondent No.2.
4. By this application, the applicants seek quashing of the FIR registered vide C.R.No. 376 of 2023 with the Samta Nagar Police Station, Kandivali, for the alleged offences punishable under Sections 420, 465, 468, 471 r/w 34 of the Indian Penal Code. Quashing is sought on the premise that the parties have amicably settled their

dispute i.e. the dispute between the applicants and the respondent No.2.

5. Perused the application. Admittedly, chargesheet has not been filed in the aforesaid C.R. Having perused the FIR, it appears that initially, there was a financial transaction entered into between the parties i.e. the applicants and the respondent No.2, pursuant to which, arbitration proceeding were initiated. It appears that in the arbitration proceeding, the applicant No.2, allegedly made a false declaration, pursuant to which the respondent No.2 filed the aforesaid FIR as against the applicants alleging the aforesaid offences.

6. In the arbitration proceeding i.e. the Arbitration Petition No.203 of 2024 pending before this Court, the parties amicably settled their dispute and filed Consent Terms before the Court. Pursuant thereto, this Court (Coram : Sandeep V. Marne, J.) vide order dated 10th November, 2025, disposed of the arbitration proceeding in view of the Consent Terms entered into between the parties.

7. Learned Counsel for the Respondent No.2 has tendered an affidavit of the respondent No.2. To the said affidavit, he has annexed the order dated 10th November, 2025 passed in Arbitration Petition No. 203 of 2024 as well as the Consent Terms filed before the learned Single Judge of this Court. In the said affidavit, the respondent No.2 has given his consent / no objection for quashing of the aforesaid FIR.

8. The respondent No.2 is present in person. He re-iterates what is stated by him in the affidavit, that he has no objection for quashing of the FIR initiated at his behest. He is identified by his lawyer. Learned Counsel for the respondent No.2 has tendered a photocopy of a Driving Licence of the respondent No.2 duly attested by him. The same is taken on record.

9. Considering the aforesaid, the nature of dispute, the amicable settlement between the parties and the Judgments of the Apex Court, we do not find any impediment in allowing the application.

10. Application is accordingly allowed. The FIR registered vide C.R.No. 376 of 2023 with the Samta Nagar Police Station, Mumbai and proceeding, if any, arising therefrom, as against the applicants, is quashed and set aside.

11. Learned Counsel for the respondent No.2 assures to file his vakalatnama in the Registry, within one week from today.

12. Rule is made absolute on the aforesaid terms and the application stands disposed of accordingly.

13. All concerned to act on the authenticated copy of this order.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.