

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (A.P.L.) NO. 667 OF 2025

Sagar Harish Anandpara	]	
Aged about 33 years, adult,	]	
Indian Inhabitant of Mumbai,	]	
Occ.:- Business, Residing at Flat No. 401,	]	
Raj Sunflower, Royal Complex,	]	
Eksar Road, Borivali (West),	]	
Mumbai, Maharashtra-400092.	]	... Applicant

V/s.

- | | | | |
|----|---------------------------------------|---|-----------------|
| 1. | The State of Maharashtra |] | |
| | Represented through Public prosecutor |] | |
| | Office, High Court, Mumbai. |] | |
| 2. | Lans Pharma LLP |] | |
| | (Through Mr. Namit Shah) |] | |
| | Having its registered office at:1306, |] | |
| | Shubham Avenue, 19/21 Pant Nagar, |] | |
| | Shri Gurudutt Mandir Marg, |] | |
| | Ghatkopar-East, Mumbai-400075. |] | ... Respondents |

Mr. Dishant Chitalia a/w Mr. Niraj Bhatiya i/b MKS Legal Associates for Applicant.

Ms. Prajakta P. Shinde, A.P.P. for Respondent No.1-State.

Mr. Aditya Mithe a/w Ms. Adhithi Rao, Mr. Anubhav Singh i/b Khaitan & Co. for Respondent No.2.

Mr. Aslam Khatib, Police Inspector, Pantnagar Police Station, Mumbai present.

**CORAM : A. S. GADKARI AND
RAJESH S. PATIL, JJ.**
DATE : 27th June 2025.

JUDGMENT : (PER: A.S. Gadkari, J.) :-

1) This is an Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), is filed by the accused in C.R.No. 0327 of 2025, dated 3rd April 2025, registered with Pantnagar police station, Mumbai, punishable under Sections 3(5), 316(5), 318(4), 319(2), 324(4), 335, 336(1), 336(2), 336(3), 338, 340(2) and 342(1) of the BNSS, for quashing of the said crime, with the consent of Respondent No.2.

2) Mr. Chitalia, learned counsel appearing for Applicant submitted that, the basis for lodgment of present crime was the commercial transactions between the Applicant and Respondent No.2. That, due to the intervention of well-wishers, the Applicant and Respondent No.2 have now decided to settle the matter amicably and the partners of Respondent No.2 have agreed to give its consent for quashing of the said crime in-question.

3) Mr. Mithe, learned counsel appearing for Respondent No.2 tendered across the bar Affidavit of Shri. Namit Shah, Authorized representative and partner of Respondent No.2, dated 26th June 2025, duly affirmed before a Notary Public. To the said Affidavit, the copy of Resolution passed in the meeting of partners of Respondent No.2-company is annexed, thereby authorizing Shri. Namit Shah to represent the company in the Court.

To the said Affidavit, a photocopy of Settlement Agreement dated 9th May 2025 is also annexed.

3.1) In the said Affidavit, Mr. Namit Shah has admitted that, the Applicant and Respondent No.2 have entered into Settlement Agreement dated 9th May 2025 with the intent to fully, finally and completely conclude all pending disputes, disagreements, grievances together with all existing and potential claims, damages and causes of action between the said parties. It is further stated that, the parties herein have amicably settled their disputes and have come to the common understanding and have entered into Settlement Agreement dated 9th May 2025. In para No.7 thereof, Mr. Namit Shah has given no objection for allowing present Application for quashing the said crime in-question.

3.2) Mr. Namit Shah, Authorized representative and partner of Respondent No.2, is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 26th June 2025 and his 'No Objection' for quashing of crime in-question.

4) In view of the above, we are inclined to quash C.R.No. 0327 of 2025, dated 3rd April 2025, registered with Pantnagar police station, Mumbai.

5) As we expressed our opinion for quashing of said crime in-question, Mr. Chitalia, learned learned counsel for Applicant on instructions submitted that, for quashing of the said crime the Applicant will pay a cost of

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

5.1) As the Respondent No.2 is successful in bringing the Applicant for settlement due to the lodgment of present crime, Mr. Mithe, learned counsel for Respondent No.2 on instructions from Mr. Namit Shah, Authorized representative of Respondent No.2, submitted that, Respondent No.2 will also pay a cost of Rs. 2,00,000/- to Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

5.2) We therefore direct the Applicant and Respondent No.2 to pay a cost of Rs.2,00,000/- each to the Bar Council of Maharashtra and Goa's Advocate Academy and Research Center, within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay.

5.3) Details of the bank Account for 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
IFSC Code :- BKID0000001
Type of Account :- Current A/c

5.4) Applicant so also the Respondent No.2 to pay the aforesated cost within stipulated period as noted above and submit its receipt(s) in the Registry of this Court.

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

7) It is made clear that, if the cost is not paid within stipulated period as mentioned above, Application shall stand revived automatically and in that event, the Investigating Agency will complete the investigation expeditiously.

8) List the Application on board on 8th August 2025, under the caption 'For Reporting Compliance' of present Order.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)