

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 902 OF 2025

Sohanlal Motilal Jain & Ors.

... Applicants

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Prakash Mishra for Applicants.

Mr. Ashish I. Satpute, A.P.P. for Respondent Nos.1 and 2-State.

Mr. Maurya Dharendra Bahadur Samarnath for Respondent No.3.

Mr. A. K. Bansode, PSI, Tarapur Police Station, Palghar.

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

DATE : 20th AUGUST 2025

PC.:-

1) By this Application under Section 482 of Cr.PC., the Applicants, accused in F.I.R. No. 0024 of 2025 dated 10th May 2025, registered with Tarapur Police Station, Dist. Palghar, under Sections 420 read with 34 of the Indian Penal Code, are seeking quashing of the said crime with the consent of Respondent No.3, the informant.

2) Learned Advocate for Applicants, on instructions submitted that, the investigation of the present crime is not completed and therefore the charge-sheet is not filed. The said statement is accepted.

3) Learned Advocate for Applicants submitted that, during the pendency of investigation of the said crime, Applicants and Respondent No.3 have settled their disputes and differences and as a matter of fact, the Applicants have refunded the said amount of Rs.10,00,000/- to Respondent No.3 and therefore he is giving consent for quashing of the crime in question. He therefore prayed that, the crime in question may be quashed with consent of Respondent No.3.

4) Advocate Mr. Maurya Samarnath submitted that, he has instructions to appear on behalf of Respondent No.3 and will file his *vakalatnama* during the course of the day. The said statement is accepted.

5) Advocate for Respondent No.3 has tendered across the Bar Affidavit of Respondent No.3 dated 20th June 2025, duly affirmed before a Notary Public. The fact of amicable settlement and receipt of Rs.10,00,000/- towards full and final settlement is admitted therein. In paragraph No. 7 thereof, Respondent No.3 has given his no objection for quashing of the crime in question.

5.1) Respondent No.3 is personally present in Court and through his Advocate, reiterates the contents of his Affidavit dated 20th June 2025 and his 'no objection' for quashing of the crime in question.

6) In view of the above, we are inclined to quash F.I.R. No. 0024 of 2025 dated 10th May 2025, registered with Tarapur Police Station, Palghar, under Section 420 read with 34 of the Indian Penal Code.

7) As we expressed our opinion for quashing of said F.I.R. No. 0024 of 2025 dated 10th May 2025, registered with Tarapur Police Station, Palghar, under Section 420 read with 34 of the Indian Penal Code, learned Advocate for Applicants, on instructions submitted that, for quashing of the said crime, the Applicants will voluntarily pay a cost of Rs.50,000/- each, totaling to Rs.1,50,000/-, jointly or severally, to the 'Armed Forces Battle Casualties Welfare Fund' (AFBCWF) within a period of one week from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

8) Learned Advocate appearing for Respondent No.3 submitted that, due to lodgment of present crime, Respondent No.3 is successful in bringing the Applicants for settlement and in fact, has recovered an amount of Rs.10,00,000/-, he also will voluntarily pay a cost of Rs.50,000/- to the 'Armed Forces Battle Casualties Welfare Fund' (AFBCWF) within a period of one week from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

9) We therefore direct the Applicants to pay a cost of Rs.50,000/- each, totaling to Rs.1,50,000/-, jointly or severally and the Respondent No.3 to pay a cost of Rs.50,000/-, to the 'Armed Forces Battle Casualties Welfare Fund' (AFBCWF) within a period of one week from the date of

uploading of present Order on the official website of High Court of Bombay, Mumbai.

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

Account Name	:-	Armed Forces Battle Casualties Welfare Fund.
Account Number	:-	90552010165915.
Bank Name	:-	Canara Bank.
Branch	:-	South Block, Defence Headquarters, New Delhi – 110 011.
IFSC Code	:-	CNRB0019055.

10) Applicants and Respondent No.3 to deposit the said cost within stipulated period as noted above and submit receipt(s) of the same in the Registry of this Court.

11) In view of the above and subject to payment of cost by Applicants, so also by Respondent No.3, within stipulated period as noted above, Petition is allowed in terms of prayer clause (a).

12) It is made clear that, if the said cost is not paid within stipulated period as mentioned above, the Application shall stand revived automatically and in that event, the investigation of the present crime will be completed expeditiously.

13) List the Application on 16th September 2025, under the caption 'for reporting compliance'.

(RAJESH S. PATIL, J.)

(A.S. GADKARI, J.)