

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.918 OF 2025

1. Meenu Sudalaykumar Nadar	]	
2. Alisha Sudalaykumar Nadar	]	.. Applicants
<i>Versus</i>		
1. The State of Maharashtra,	]	
Through Kurar Police Station	]	
2. Meena Sudalaykumar Nadar	]	.. Respondents

Mr. Marmik Shah, Advocate for the Applicants.
Mrs. M.M. Deshmukh, I/c. Public Prosecutor for Respondent No.1.
Mr. Sahil Khullar, Advocate for Respondent No.2.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 12TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present criminal application is filed under section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR bearing C.R. No. 363 of 2023 dated 29th May 2023 registered with Kurar police station for the offences punishable under sections 193, 196, 406, 420, 465, 466, 467 and 471 read with 34 of the Indian Penal Code, 1860.

2. The applicant no.1 is the 2nd wife of one Mr Sudalaykumar Nadar and the applicant no.2 is his daughter. The respondent no. 2 is the first wife of the said Mr. Sudalaykumar Nadar. The dispute between the parties pertains to the ownership of a flat at B-203, Raghukul Society, Vasant Valley, Behind Dindoshi Depot, Malad East, Mumbai - 400097. It is alleged in the FIR that the applicants fraudulently took the possession of the said flat from the society. The applicant no.1 had filed a declaratory suit, S. C. Suit No. 843

of 2021, in the Bombay City Civil Court at Borivali division, Dindoshi Goregaon, seeking declaration to the effect that she may be declared as the owner of the said flat. The parties have filed consent terms dated 15th April 2025 in the said suit resolving all their disputes. The respondent no.2 has filed an affidavit dated 8th October 2025 confirming her no objection to quashing of the FIR. This is also confirmed by Mr. Khullar, the learned counsel for the respondent no.2.

3. The Hon'ble Supreme Court has held in "*Nikhil Merchant v. CBI*," (2008) 9 SCC 677 that where the offences are of civil nature and the parties have settled all disputes between them amicably, the High Court would be justified in quashing the criminal proceedings. Considering that the matter has been amicably settled between the parties and the complainant does not wish to pursue her complaint and the proceedings relating thereto, continuance of the investigation in the FIR will be a futile exercise. In light of the same, the criminal application is allowed in terms of prayer clause (a) which reads as follows:

"a. This Hon'ble Court be pleased to quash FIR bearing CR No. 363 of 2023 registered with the officers of Kurar Police for offences punishable u/Sec406, 420, 465, 471, 466, 193, 196 r/w 34 of the Indian Penal Code, 1860 and all other/future proceedings initiated/that may be initiated/filed against the Applicants herein on such terms and conditions as this Hon'ble Court may deem fit and proper;"

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]