

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

CRIMINAL APPLICATION NO.950 OF 2025

Afzal Abdul Javed Shaikh & Anr.Applicants
V/s
The State of Maharashtra and AnrRespondents

Ms. Prachita Vare i/b Mr. Prakash V Vare, for the Applicants.

Ms. Mahalaxmi G., APP for the respondent no.1.

Ms. Nandini Vasaikar a/w Mr. Mandar More for the respondent no.2.

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

DATE : 25TH SEPTEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present criminal application is filed under Article 226 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing, by consent, of the FIR No.145 of 2025 registered with the Shahu Nagar Police Station, Mumbai, under sections 118(1), 79, 115(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The FIR was registered at the instance of respondent no.2 (the original complainant) against the applicants. The FIR pertained to certain misunderstandings/disputes between the applicants and the respondent no.2. Subsequently, the differences and misunderstanding between the applicants and the respondent no.2 has been amicably resolved.

3. Ms. Nandini Vasaikar, the learned advocate for respondent no.2 confirms the settlement and submitted that the parties have

signed consent terms dated 5th August 2025. He further submits that respondent no. 2 has filed an affidavit dated 5th August 2025 recording his no objection to the quashing of the FIR and any proceedings arising therefrom.

4. It is settled law that the Court is empowered to quash the criminal proceedings to prevent the abuse of process of law particularly when the Complainant no longer supports the complaint. Therefore, continuation of the criminal proceedings would serve no fruitful purpose. In view of the above, the Criminal Application No.950 of 2025 is allowed in terms of prayer clause (a), which reads as under:-

“a. That this Hon'ble Court may be pleased to quash and set aside the FIR No. 145/2025 dated 12/05/2025 registered at Shahu Nagar Police Station, Mumbai, under Sections 118(1), 79, 115(2), 352, 351(2), and 3(5) of the Bharatiya Nyay Sanita, 2023 on the Complaint of Respondent No. 2 / Org. Complainant, on such terms and conditions as this Hon'ble Court may deem fit and proper;”

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2025.09.29
20:52:12 +0530