

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

CRIMINAL APPLICATION NO.1327 OF 2025

Nitin Suresh Sampat

] .. Applicant

Versus

1. The State of Maharashtra,
Through Nagpada Police Station
2. XYZ – First Informant

]]]
]]]
]]]

] .. Respondents

Mr. Kripashankar N. Pandey with Mr. Darshan Juikar and Mr. Himanshu Indise, Advocates for the Applicant.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mr. K.V. Saste, Additional Public Prosecutor for Respondent No.1.

Mr. Arjun Dev, Advocate for Respondent No.2.

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

DATE : 26TH NOVEMBER 2025.

PER, GAUTAM A. ANKHAD, J.

The present Writ Petition, filed under Article 226 and section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023, seeks the following reliefs:

“(a) That this Hon’ble Court may be pleased to quash and set aside the proceedings bearing C.C. No.195/PW/2024 pending on the file of Ld. Additional Chief Judicial Magistrate, 4th Court, Girgaon, Mumbai emanating out of FIR No.310 of 2023 registered at Tardeo Police Station and subsequently transferred to Nagpada Police Station for offences punishable with sections 354A and 509 of the Indian Penal Code.”

2. The FIR bearing C.R. No.310 of 2023 was lodged at the instance of the respondent no.2 with Tardeo police station on 7th July 2023, which was subsequently transferred to Nagpada police station. Pursuant to the same, the charge-sheet bearing C.C. No.195/PW/2024 has been filed before the learned Judicial Magistrate First Class, Girgaon, Mumbai.

3. The differences between the parties have now been settled amicably. The parties have executed consent terms dated 6th November 2025 recording that the respondent no.2 has no objection to quashing of the said criminal proceedings. The said no objection has been reiterated by the respondent no.2 in her affidavit dated 11th November 2025. The parties are present in the Court and identified by their respective counsel. The parties have affixed their signatures and recorded their appearance in their own handwriting which shall now form part of the record. The appearance of the parties and copies of their Aadhaar card is taken on record.

4. The Hon'ble Supreme Court has held in "*Shiji v. Radhika*" (2011) 10 SCC 705 that the inherent power of this Court is distinct from the power to compound offences and thus, even cases where non-compoundable offences are involved can be quashed under the inherent powers of the Court when the ends of justice justify such exercise of power. Considering that the parties have settled their differences and the respondent no. 2 is no longer inclined to support the prosecution, the continuance of the criminal proceedings would not serve any fruitful purpose. Thus, **Writ Petition No.1327 of 2025 is allowed** in terms of prayer clause (a).

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]