

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

CRIMINAL APPLICATION NO.1407 OF 2025

1. Pramod Hastimal Mandot
 2. Kailash Pooranprasad Narayan
 3. Prasad Mahadeo Satardekar
 4. Pandurang Kisan Gopale
 5. Asha Pramod Mandot ...Applicants
- Versus
1. State of Maharashtra
 2. Hastimal Jethmal Mandot @ Jain ...Respondents

Mr. Rajender Singh Saluja a/w Mr. Balraj Nishad for the Applicants.

Ms. P. P. Shinde, Addl.P.P for the Respondent No.1-State.

Mr. Jeetendra Ranawat a/w Mr. Gaurav Gupta for the Respondent No.2.

API – Bhatu Pawar and PSI – Suryakant Doke (Pairavi Officer) from Borivali Police Station, Mumbai, is present.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 5th DECEMBER 2025

ORAL JUDGMENT (Per Revati Mohite Dere, J.) :

1. Heard learned counsel for the parties.

2. Rule. Rule is made returnable forthwith, with the consent of the parties and is taken up for final disposal. Learned Additional Public Prosecutor waives notice on behalf of the respondent No.1– State. Mr. Ranawat waives notice on behalf of the respondent Nos.2.

3. By this application, the applicants seek quashing of the FIR bearing C.R. No. 1144 of 2020 registered with the Borivali Police Station, Mumbai, for the alleged offences punishable under Sections 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code. Quashing is sought on the premise, that the parties have amicably settled their dispute.

4. Perused the application. At the outset, we may note that the parties i.e. the applicant Nos.1 and 5 and respondent No.2 are *inter se* related, inasmuch as, the respondent No.2 is the father of the applicant No.1 and father-in-law of the applicant No.5. According to the respondent No.2 (original complainant), his son (applicant No.1) took a loan, mortgaging his shop premises to the bank. The said loan

was availed on the respondent No.2's shop by the applicant No.1 by forging certain documents. In view of the same, respondent No.2 lodged an FIR as against the applicants alleging the aforesaid offences. After investigation, charge-sheet was filed in the said case and the case is currently pending before the learned Judicial Magistrate First Class, 26th Court, Borivali, Mumbai being Case No. 1926/PW/2022.

5. In the interregnum, during the pendency of the aforesaid proceeding, the parties amicably settled their dispute. Respondent No.2 has filed his consent affidavit dated 3rd December 2025. In the consent affidavit, the respondent No.2 has stated that he had rented the shop premises to the applicant No.1 (his son) and that the applicant No.1 was paying him compensation for the same. It is further stated by the respondent No.2, that he learnt from the bank that the applicant No.1 had taken loan from the Bank, by forging his signature. The respondent No.2 in his consent affidavit has stated that the applicant No.1 had taken a loan for further development of the business, however, due to Covid 19 the business activities came to a

standstill, as a result of which, the applicant No.1 was unable to pay the loan installment. In the said consent affidavit, the respondent No.2 has stated that the applicants have paid the loan and have cleared the loan amount. The respondent No.2 has further stated in the consent affidavit that the matter has been amicably settled between him and the applicants and that he has no objection to the quashing of the FIR/charge-sheet and proceeding initiated at his behest *qua* the applicants. Respondent No.2 is present in Court. On questioning, he re-iterates what is stated by him in his consent affidavit. Learned counsel for the respondent No. 2 has tendered a self attested photocopy of the driving licence of the respondent No. 2. The same is taken on record. Learned Counsel for the respondent No.2 has identified the respondent No.2 and the learned Additional Public Prosecutor has also verified the original driving licence of the respondent No.2.

6. It appears that apart from the four accused, there is one more accused shown in the charge-sheet by the name Sachin Pawar.

When confronted, learned Additional Public Prosecutor, on instructions, states that although Sachin Pawar is shown as absconding, there is no material *qua* him.

7. Learned counsel for the respondent No.2, on instructions of the respondent No.2 states that the respondent No.2 has no objection to the quashing of the proceeding even *qua* him, considering that the said Sachin Pawar has no role to play.

8. Considering the nature of dispute, the relations between the parties, the consent affidavit of the respondent No.2 and having regard to the judicial pronouncements in this regard, there is no impediment in allowing the application.

9. The Application is accordingly allowed and the FIR bearing C.R. No. 1144 of 2020 registered with the Borivali Police Station, Mumbai, charge-sheet and consequently, the proceeding

pending before the learned Judicial Magistrate First Class, 26th Court, Borivali, Mumbai being Case No. 1926/PW/2022, are quashed and set-aside.

10. Consequently, if any Look Out Notice/Circular is pending against the applicants, the same is also quashed and set-aside.

11. Needless to state, that the property documents vis-a-vis the respondent No.2's shop, be handed over to the respondent No.2 by the respondent No.1 i.e. Borivali Police Station, Mumbai, or the Court, wherever, the said document is, forthwith.

12. Rule is made absolute in the aforesaid terms. Application is disposed of accordingly.

13. Each of the applicants to deposit a sum of Rs.25,000/-, with the **Mumbai Police Welfare Fund bearing Account No.**

465010100008693, IFSC No. UTIB0000465, as costs. The said costs to be deposited within two weeks from today.

14. Stand over to **9th January 2026**, for recording compliance of the said deposit of costs.

All concerned to act on the authenticated copy of this judgment.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.