



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 845 OF 2025

[Chirag s/o Bharat Sheth **vs.** State of Maharashtra through
P.S.O., Wadi P.S., Nagpur and anr.]

Office Notes, Office Memoranda
of Coram, Appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Ms. Aarzoo Guglani, Advocate h/f Mr. S. Dewani, Advocate for
the petitioner along with Mr. Shyam Dewani, Advocate
through video conferencing
Mr. K. R. Lule, A.P.P. for the State/respondent no. 1
Mr. N. A. Lapalikar, Advocate for respondent no. 2

CORAM: ANIL L. PANSARE
AND RAJ D. WAKODE, JJ.

DATE : 18-12-2025.

On previous date, following order was passed.

“The Counsel for the petitioner submits that there occurred mistake in order dated 19/11/2025, where it is mentioned that the petitioner made request for adjournment. According to him, it is the A.P.P., who made request, which status has been not disputed by the learned A.P.P.

2] That being so, order dated 19/11/2025 shall be appropriately corrected and uploaded.

3] On 6/11/2025, following order was passed :

“The learned counsel for the petitioner submits that the matter is covered by the judgments passed by this Court in the cases of Bharat Vasantlal Mewawala Residing at Churchgate, Mumbai & Anr. Vs. State of Maharashtra, through Senior Inspector of Gavdevi Police Station & Ors. (2016 SCC OnLine

2

Bom 9148) and Nirav Danishkumar Shah Vs. State of Maharashtra & Anr. (2018 SCC OnLine Bom 244).

2. *The respondents shall go through the judgments and make submissions. The respondents may also file reply before next date.*

3. *List on 19th November, 2015.”*

4] *The learned A.P.P. submits that the issue involved is not covered by the aforesaid judgments.*

5] *Thus, one out of two is making incorrect statement.*

6] *We will, accordingly, hear the matter, and whosoever has made incorrect statement, will be penalised.*

7] *List on 18/12/2025.”*

2. Learned Additional Public Prosecutor (APP) submits that the issue involved is covered by the judgment in the case of **Nirav Danishkumar Shah Vs. State of Maharashtra & Anr. (2018 SCC OnLine Bom 244)**. He submits that in identical set of facts, the First Information Report (FIR) was quashed. In the said case also, the FIR was lodged under the provisions of the Copyright Act, 1957. Similar is the case here.

3. Learned APP submits that on previous date, he inadvertently made a statement that the issue involved is not covered by the aforesaid judgment. According to him, focus was on first case i.e. **Bharat Vasantlal Mewawala and anr. Vs. State of Maharashtra & Ors. (2016 SCC OnLine Bom 9148)** where the FIR was quashed on settlement between the parties and not

3

on merit. Accordingly, aforesaid submissions were made. He submits that later on, he has minutely gone through **Nirav**'s case to find that the issue is covered by said case.

4. That being so and for the reasons set out in the case of **Nirav** (supra), the petition is allowed in terms of prayer clause (a) which reads as under :-

a) issue appropriate writ, order or direction to quash and set aside the FIR in crime No. 648, registered at Wadi Police Station, Nagpur on 30.09.2025, under Section 51 and 63 of Copyright Act, 1957 i.e. **ANNEXURE-B**;

(JUDGE)

(JUDGE.)

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