



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

976 CRIMINAL APPLICATION NO. 871 OF 2025

1. Narendra Dayaram Jadhav,
age 60 yrs, Occ.Business,
R/o, 14, Meera Park, Trambak Road,
Opp. Silver Oak School, P and T Colony,
Nashik, HPT College,
Maharashtra – 422 005.
2. Anil Dayaram Jadhav,
age 57 years, Occ. Business,
R/o at Flat No.14, Meera Park,
Trimbak Road, Opposite Silver Oak School,
P and T Colony, Nashik,
Maharashtra – 422005.
3. Trupti Sagar Jadhav Kakade
age 33 yrs, Occ. Service,
Flat No.14, Meera Park,
Trimbak Road, Opposite Silver Oak School,
P and T Colony, Nashik,
Maharashtra – 422005.
4. Avinash Sudam Siddhapure,
age 55 years, Occ. Business,
Sudam Gangaram Lohar,
34/A, Mayureshwar Apt,
P & T Colony, Opp. Krushna Residency,
Sharnapur Road, Nashik.
HPT College, Maharashtra 422 005.
5. Sagar Jawaharlal Kakade,
age 33 years, Occ. Business,
R/o at 23.24, Varsha Bungalow,
Gulmohar Colony, Behind Reliance
Petrol Pump, Satpur, Nashik.
Maharashtra 422 006

Applicants/
Accused.

Versus

1. The State Of Maharashtra
through Dhule Taluka Police Station.
2. Sanjay Bhagchand Jain @ Chordia,
age 56 years, Occ Nil, R/o Galli No.9,
Subhash Nagar, Old Dhule,
District Dhule. Respondents.

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Advocate for Applicants : Mr. Joydeep Chatterji
APP for Respondents: Mr. S.A. Gaikwad
Advocate for Respondent no.2 : Mr. S.S. Bora

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 13, 2026

FINAL ORDER :-

1. The applicants seek quashment of the FIR no.466 of 2024 registered with Police Station Dhule Taluka for the offences punishable under sections 316(2), 318(4), 115(2), 351(2), 351(3), 352 and 3 of the BNS, 2023.
2. Investigation was set in motion on the basis of information given by respondent no.2 alleging that informant is engaged in business of plotting. Applicant no.1 and 2 were acquainted with him and maintaining cordial relations. They approached the applicant no.1 for sale of land. Due to cordial relationship, he accepted the proposal and entered into an agreement to purchase the land. On 1.9.2012 he paid Rs.50 Lakhs by way of earnest money. Thereafter, paid further

installments as agreed. Thereafter, he persuaded to execute the sale-deed. However, they refused and raised additional demand of money. Lateron, applicants started selling out plots developed by the informant on the land. When informant asked them to desist from sale of the plots, they insulted him and threatened to kill. The aforesaid information culminated into FIR in crime no.466 of 2024.

3. On 20.3.2025 learned advocates appearing for applicants pointed out that narration in the FIR clearly depicts commercial transaction between the parties as regards to purchase and sale of immovable property. On 11.10.2024 the applicant no.1 and respondent no.2 amicably settled the dispute and prepared consent terms. Accordingly, the applicants have executed registered sale-deed in favour of the informant. The affidavit of respondent no.2 is filed on record depicting genuine settlement between the parties. Terms of the settlement are also filed on record of this Court.

4. In light of the aforesaid factual backdrop, reference can be given to the observations of the Hon'ble Supreme Court in case of **Narinder Singh and Others Versus State of Punjab and**

another reported in (2014) 6 SCC 466, in paragraph no.31, it is observed as under :-

“31. Where criminal cases having overwhelmingly and pre-dominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationships or family disputes should be quashed when the parties have resolved their entire disputes among themselves. The possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

5. In light of the aforesaid exposition of law, although offences charged against the applicants are non-compoundable, having regard to the nature of dispute emerging from commercial transactions and its amicable settlement by the parties, further prosecution would be futile exercise and abuse of process of law. However, fact remains that prosecution machinery has been unnecessarily exerted by criminalizing the civil dispute. Therefore, while exercising inherent powers to quash and set aside the FIR and further proceeding, it is inevitable to impose certain costs upon the parties. Hence, following order.

ORDER

- I. Criminal application is **allowed** in terms of prayer clause “a” subject to condition that the applicants and respondent no.2 equally pay total costs of

Rs.60,000/- (Rs. Sixty Thousand) i.e. Rs.10,000/- (Rs. Ten Thousand) **EACH**, to be payable to the **Sakar, Society for Adoption and Knowledge Awareness and Resource, Ajmera Complex, Plot no.177, Jyoti Nagar, Main Road, Aurangabad (Account No.10035312018-State Bank of India, Plot No.64, Dashmesh Nagar, Code 7430, Aurangabad) [IFSC code-SBIN0007430]** within a period of Six (6) weeks from today.

2. Criminal Application stands **disposed of**.
3. Place the matter for reporting compliance before this Court after Six weeks.

(S. G. CHAPALGAONKAR, J.)

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