



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

CRIMINAL APPLICATION NO.4237 OF 2025

Pooja Vishant Bhoir,

Age: 34 years, Occupation: Business,
R/o.: A1/02, Shree Ganesh, Madhav Sansar,
Khadakpada, Kalyan West – 421 301.

..Applicant

Versus

1. The State of Maharashtra,
Through: I/C Police Station Officer,
MIDC Latur Police Station,
Dist. Latur.
2. Pankaj S/o Vinayak Jadhav,
Age: 21, Occupation: Education,
R/o: Sindhkhed, Taluka Nilanga,
Latur, Maharashtra,
Also R/at: C/o Shri Patil, Patil Niwas,
Sharda Nagar, behind COCSIT College,
Ambejogai Road, Latur.

..Respondents

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Mr. Shritej Surve, Advocate for Applicant.

Mr. K. N. Lokhande, APP for Respondent-State.

Mrs. A. S. Gadekar, Advocate for Respondent No.2.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 30th MARCH, 2026.**

FINAL ORDER:-

1. The applicant seeks quashment of FIR bearing No.452/2023 registered with MIDC Latur Police Station, Dist. Latur for offences punishable under Sections 420, 406 of Indian Penal Code and consequential proceeding in Regular Criminal Case No.1414/2025 pending before Judicial Magistrate First Class, Latur.

2. The investigation was set in motion on the basis of information given by respondent no.2 stating that he is a student of BCA Computer. His father is expired in year 2021. The insurance amount of Rs.6,00,000/- was received from LIC. He was following Insta Handle of one Saisha Bhoir. Her mother/applicant accused was handling said account. He came across status on an Instagram account titled “Algo Option Strategy Models,” wherein it was stated that upon investing an amount ranging from Rs.1,00,000 to Rs.10,00,000, an assured weekly profit of 10.10% would be generated, out of which 30% was to be paid as commission. It is further alleged that during period from 15.01.2022 to 16.01.2022 informant invested amount of Rs.1,00,000/-. He received returns of Rs.7070/- per week till 19.04.2022 totaling of Rs.91,910/- on investment of Rs.1,00,000/-. In view of exponential returns, he invested amount of Rs.10,00,000/- during period from 25.04.2022 to 10.06.2022. However, after said investment, he did not receive further returns from accused/applicant. Further she stopped receiving his phone calls.

3. The aforesaid information culminated into registration of offence against applicant. The investigation progressed and finally charge-sheet came to be filed against applicant. The record shows that many other persons were lured to invest amount by

applicant/accused. Eventually, several complaints are filed against her at different police station, which are as under:

Sr. No.	Crime Number	Police Station	Sections
1	124/2023	Cuffe Parade Police Station, Colaba, Mumbai	406, 420 of Indian Penal Code r/w 3 of MPID Act, 1999.
2	128/2023	Sarkarwada Police Station, Nashik City	420, 406 34 of Indian Penal Code.
3	282/2023	Dombivali Police Station, Thane City	406, 420, 34 of Indian Penal code r/w Sections 3 and 4 of MPID Act.
4	279/2023	Khadakpada Police Station, Thane City	34, 406, 420 of Indian Penal Code r/w Sections 3 and 4 of MPID Act.

4. The present application is filed under Section 482 of Code of Criminal Procedure for quashing and setting aside of FIR in Crime No.452/2023 and consequential proceeding in Regular Criminal Case No.1414/2025 pending before Judicial Magistrate First Class at Latur. The parties have filed consent terms dated 09.02.2026. The respondent no.2 gave no objection for allowing criminal application, as amount of Rs.10,00,000/- has been refunded to him by applicant/accused.

5. The learned Advocate appearing for applicant submits that since respondent no.2 has no grievance against applicant, there is no reason to continue criminal prosecution against him. In support of his contentions, he relies upon observations of Supreme Court in cases of ***Manoj Sharma Vs. State of Ors. (Criminal Appeal No.1619/2008*** decided on ***16.10.2008***), ***Mohammad Wajid & Anr. Vs. State of U.P. & Ors. (Criminal Appeal No.2340/2023***

decided on **08.08.2023**) and ***Central Bureau of Investigation Vs. Sadhu Ram Singla & Ors. (Criminal Appeal No.396/2017*** decided on **23.02.2017**) to contend that FIR pertains to allegations of private nature and, as parties have arrived at amicable settlement, exercise of inherent powers is justifiable. The prosecution in such case would be a futile exercise and there are no chances of conviction in view of genuine settlement between parties.

6. Per contra, Mr. Lokhande, learned APP appearing for respondent-State submits that applicant indulged in multiple offences of similar nature. Several FIRs have been lodged by victims. The applicant duped poor victims using influence of her minor daughter on social media. In present case, amount of Rs.10,00,000/- is involved. However, FIR lodged at different places shows that victims are duped with amount of Rs.15,00,000/-, Rs.30,00,000/- and many more. She has induced investors by giving unreasonable promises. She has duped investors for total amount of Rs.3,19,59,000/-. Eventually, apart from offence under Sections 406 and 420 of Indian Penal Code, Sections 3 and 4 of MPID Act is also invoked against her.

7. It is well settled that inherent powers of this Court can be invoked to quash FIR and proceeding even for offences which are

not compoundable in terms of Section 320 of Code of Criminal Procedure. However, such power require to be exercised in appropriate cases. In case of ***Narinder Singh Vs. State of Punjab and Ors.***¹, Supreme Court laid down principles by which High Court would be guided in giving adequate treatment to settlement between parties while exercising its powers under Section 482 of Code of Criminal Procedure, either for quashing proceedings or refusing to accept settlement with direction to continue criminal proceedings. It is held that power conferred under Section 482 of the Code of Criminal Procedure is to be distinguished from power vested in the Court to compound offences under Section 320 of Code of Criminal Procedure, including offences punishable under Section 420 of Indian Penal Code. The High Court is bestowed with inherent powers to quash criminal proceedings even in respect of non-compoundable offences, where parties have amicably settled matter between themselves. The quashing of proceedings on basis of such settlement is permissible to secure ends of justice or to prevent abuse of process of Court. The caution note is given that such power ought not to be exercised in prosecutions involving heinous and serious offences, or offences which are not private in nature or have a serious impact on society.

8. In present case, this Court finds that applicant being mother of influencer on social media, exploited followers of Instagram

¹ (2014) 6 SCC 466.

Handle and lured them to make huge investments with promise of exponential returns. As long as investments were small, she assured weekly returns to investors, and after extracting substantial amounts, she refused to entertain them. As many as five offences are under investigation. The amount of more than Rs.3 crores has been extracted by her. The provisions of Section 3 and 4 of MPID Act have been invoked in other offences registered at different police stations. The supplementary statement of respondent no.2 is recorded in present case, wherein it is stated that when applicant failed to secure protection of anticipatory bail, she returned amount of Rs.9,22,000/- to informant. In other criminal cases, investment amounts are huge.

9. The nature of offence committed by applicant depicts serious *modus operandi*. The large number of persons were lured to invest using social media handle. Although victims are individually duped, conspectus of offence is in public domain. Merely because respondent no.2 after receiving amount has agreed to settle dispute against applicant, proceeding cannot be quashed. The prosecution can continue although informant is not interested to continue with same, since offence is committed against State and in public domain. Such offences needs different treatment. Permitting settlement and quashment of criminal proceeding would encourage

similar offence, where victims are poor and likely to be won-over by mighty offenders.

10. In result, Criminal Application stands rejected.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2026