IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.358 OF 2026

RAJENDRA ALIAS RAJU PEDNEKAR AND
3 ORS ..PETITIONERS

Versus.

STATE OF GOA REP THR PUBLIC
PROSECUTOR AND 2 ORS. ... RESPONDENTS

Mr. Rohan Desai, Advocate for the Petitioners.

Mr. Preetam Talaulikar, Additional Public Prosecutor for Respondent Nos.1 and 2.

Mr. Nigel Fernandes, Advocate for Respondent No.3.

CORAM: ASHWIN D. BHOBE, J.

DATED : 2nd November, 2026.

ORAL ORDER :-

1. Heard, Mr. Rohan Desai, learned Advocate for the Petitioner, Mr. Preetam Talaulikar, Additional Public Prosecutor for Respondent Nos.1 and 2 and Mr. Nigel Fernandes, Advocate for Respondent No.3.

2. By this Petition filed under Article 227 of the Constitution of India and Section 538 of BNSS, 2023, the Petitioners seek leave to quash FIR No. 51/2019 dated 20.04.2019 (“impugned FIR”) registered at Anjuna Police Station for offences punishable under Sections 143, 147,

148, 324, 427 r/w. 149 of the Indian Penal Code and the Chargesheet No. 65 of 2019 dated 15.07.2019 arising out of it, which is now registered as Criminal Case No. IPC/403/S/2019/D and is pending before the Judicial Magistrate First Class, D Court at Mapusa ("trial Court").

3. Mr. Rohan Desai, learned Advocate for the Petitioners and Mr. Nigel Fernandes, learned Advocate for Respondent No.3 - Complainant, submit that the dispute which is the subject matter of the impugned FIR arose out of a petty issue. To clarify, they submit that a WhatsApp chat/message led to a misunderstanding between the Petitioners and Respondent No.3, resulting in a minor altercation and a fight. They submit that the Petitioners and Respondent No.3 are neighbours and through the intervention of friends and family members, have now amicably resolved the dispute. They submit that the Petitioner and Respondent No.3 have no grievance with each other. They submit that arising from the same incident, the Petitioner has filed FIR No.50/2019 against the family members of Respondent No.3. They submit that even that matter has been amicably resolved. They submit that the parties want to reside as friendly neighbours and as such, do not intend to continue with the criminal proceedings. They submit that Respondent No. 3 has filed an affidavit stating no objection to quashing the impugned FIR and the criminal proceedings.

4. Mr. Rohan Desai, learned Advocate for the Petitioners, states that Petitioner Nos. 1 to 4 are present in Court and he identifies them.

5. Mr. Nigel Fernandes, learned Advocate for Respondent No. 3, states that Respondent No. 3 is present in Court and he identifies her.

6. Mr Nigel Fernandes, learned Advocate for Respondent No. 3, tenders the affidavit dated 02.11.2026, affirmed by Respondent No. 3 before the Registry of this Court, same is taken on record and marked with '**X**' for identification.

7. Respondent No. 3 states that she has filed Affidavit 'X' of her own free will, without any pressure or coercion from any person. She states that paragraphs 1 to 9 of Affidavit 'X' are true and as per her say. She states that she has amicably resolved the dispute with her neighbours, i.e. the Petitioners. She states that she will not support the Prosecution case in Criminal Case No. IPC/403/S/2019/D. She states that she wants to end the criminal proceedings and therefore has no objection to the quashing of the impugned FIR and the criminal proceedings arising therefrom. She refers to and relies on paragraphs 3, 4, 5, 6 and 7, which are reproduced verbatim:

> *"3. I say that I am filing the present Affidavit for the limited purpose to place on record my consent and no-objection for granting the relief sought by the Petitioners in the above Petition. I say that we have amicably resolved our differences as the entire episode was a result of an unfortunate misunderstanding between the two families.*
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> *4. I say that in the interest of giving effect to the settlement between the two families, to end all disputes between them, and/or in the interest of maintaining peace and harmony between the two families, the criminal*

proceedings pending before the respective Hon. Trial Courts must be brought to an end.

5. I say that I am the original informant and de facto complainant in Crime No. 51/2019 of the Anjuna Police Station. I say that I have no surviving claim or grievance against the Pednekar family, including the Petitioners, arising out of the occurrence dated 20/04/2019 which is the subject matter of the aforesaid cross-cases, and I undertake not to pursue or support any complaint, prosecution or proceeding arising solely out of the said occurrence, except for the purpose of giving effect to this settlement or complying with any order passed by this court or any court of competent jurisdiction in furtherance of this settlement.

6. I say that this settlement has been arrived at voluntarily, at my own free will and without any coercion, undue influence, threat or pressure of any nature. I say that the parties intend this settlement to bring a quietus to the criminal disputes arising from the said occurrence and to secure the continuance of peace and cordial relations between the two families.

7. I say that similar Affidavits giving no objections are filed in the Criminal Writ Petition No. 431 of 2026, in which quashing of the cross-case arising out of Crime No. 50/2019, is being sought."

8. Mr Preetam Talaulikar, learned Additional Public Prosecutor, states that the records indicate that a petty issue led to a dispute between the Petitioners and Respondent No.3, which required the Police machinery to register the impugned FIR and investigate the matter. He further states that the Petitioner and Respondent No.3 having amicably resolved and settled the dispute that is the subject matter of the impugned FIR and that Respondent No.3 giving her no objection to the quashing of the

criminal proceedings/impugned FIR, Respondent No.2 does not oppose the quashing of the criminal proceedings by consent. He, however, insists on imposing exemplary costs on the Petitioner as well as Respondent No.3 for dragging the issue to the Police Station, which was not required.

9. Mr Rohan Desai, learned Advocate for the Petitioner and Mr Nigel Fernandes, learned Advocate for Respondent No. 3, on instructions, state that the appropriate costs shall be deposited.

10. Considering the facts stated hereinabove and the submissions of the learned Advocates, the nature of the dispute, which the Petitioners and Respondent No. 3 now state has been amicably settled, as they want to reside peacefully as neighbours and further, Respondent No. 3 having taken a conscious decision and made a statement before this Court that she will not be supporting the prosecution case, read with the no objection given by Respondent No. 3, no useful purpose would be served in continuing the criminal proceedings.

11. Having regard to the pronouncements of the Hon'ble Supreme Court in *Gian Singh v. State of Punjab*[1], *Parbatbhai Aahir@Parbatbhai vs The State of Gujarat*[2], and *Narinder Singh & Ors vs State of Punjab*[3], there is no impediment in allowing this petition.

12. Subject to payment of costs of Rs.1,00,000/- jointly by the

[1] [(2012)10 SCC 303]

[2] 2[(2017)9 SCC 641]

[3] [(2014)6 SCC 466]

Petitioners and of Rs.1,00,000/- by the Respondent No.3, this Petition is allowed in terms of prayer clauses (a) and (b). Consequently, the impugned FIR No.51/2019 and the charge sheet arising therefrom are quashed. Criminal Case No. IPC/403/S/2019/D stands closed. Payment of costs is a condition precedent.

13. Petitioners and Respondent No. 3 shall deposit their respective costs into the following account:-

Bank details:-
Matruchayya Trust
HDFC Bank, Ponda.
IFSC NO.: HDFC0000169
SB Account No.:01691000027555

14. Mr Rohan Desai, learned Advocate for the Petitioners and Mr Nigel Fernandes, learned Advocate for Respondent No. 3, state that the costs shall be deposited in the aforesaid account within four (4) weeks from today and the compliance affidavit with proof of payment will be filed in the Registry of this Court by 07.12.2026.

15. Criminal Writ Petition No. 358 of 2026 stands disposed of.

ASHWIN D. BHOBE, J.

Signed by: MEENA VISHAL BHOIR
Designation: Private Secretary
Date: 02/11/2026 19:24:20