

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3040 OF 2024

Tanmay Kumaril Bhatta. ... Petitioner.

V/s.

State of Maharashtra & Anr. ... Respondents.

Mr. Dorman Jamshid Dalal a/w. Ms. Shirley Mody, Ms. Shashwati Diksha & Mr. Shreyas Deore, Advocate for Petitioner.

Mr. Ratan L. Adhe, Advocate for Respondent No. 2.

Mr. Tanveer Khan, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 22nd JANUARY, 2026.

P.C. :

1. Mr. Dormaan Dalal, learned Advocate for the Petitioner craves leave to carry out amendment of the prayer clause with regards to the proceedings numbers. Leave granted. Amendment to be carried out forthwith.

2. By the present Petition, the Petitioner has sought for

the following relief :

[A] That this Hon'ble Court be pleased to issue a writ mandamus or writ in the nature of mandamus or any other appropriate writ, direction or order under Article 226 of the Constitution of India, 1950, and read with Section 482 of the Code of Criminal Procedure, 1973, quashing and setting aside the First Information Report bearing No. 0635 of 2024 (filed on 20th May 2024) at the Wakad Police Station, Datta Mandir Road, Pratham Bungalow Society, Wakad, Pimpri- Chinchwad, Pune 411057.

[A-1] That this Hon'ble Court be pleased to issue a writ mandamus or writ in the nature of mandamus or any other appropriate writ. direction or order under Article 226 of the Constitution of India. 1950, and read with Section 482 of the Code of Criminal Procedure, 1973, quashing and setting aside the Charge Sheet in [SCC/4200/2025] (presented on 1st July 2024) in the Civil and Criminal Court, Paud.

3. Mr. Dormaan Dalal, learned Advocate for the Petitioner and Mr. Ratan L. Adhe, learned Advocate for the Respondent No.2 jointly submit that the parties have resolved their differences and therefore, the Complainant has no objection for quashing of the Criminal Proceedings which is the subject matter of the present matter.

4. Mr. Adhe, learned Advocate for the Respondent No. 2 submits that an affidavit dated 22nd January, 2026 is affirmed by

the Respondent No. 2 before the Assistant Registrar of this Court, said affidavit is taken on record and marked “X” for identification. Respondent No. 2 (Karamat Aziz Pathan) is present in the court and identified by his Advocate. Respondent No. 2 by referring to paragraphs 3 and 4 of the affidavit (“X”) states that affidavit has been filed out of his free will and without any pressure from any person. He reiterates the contents of the affidavit (“X”). He specifically refers to paragraph Nos. 3 and 4 of the Affidavit (“X”) and submits that the criminal proceedings be quashed.

5. Mr. Tanveer Khan, learned APP for the State submits that in view of the affidavit (“X”), no purpose would be served in continuing with the criminal Proceedings and as such states that the FIR can be quashed.

6. Considering the amicable settlement between parties, the statements made by the Respondent No. 2 in the Affidavit (“X”), the nature of dispute and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹ and

¹(2012) 10 SCC 303

Narinder Singh & ors v. State of Madhya Pradesh², there is no impediment if this Petition is allowed. I therefore deem it fit and proper to exercise the power under Section 528 of BNSS and quash the criminal proceedings.

7. In view of the above, Petition is allowed in terms of prayer clause (A) and (A-1).

8. No order as to costs.

(ASHWIN D. BHOBE, J.)

² 2025 SCC Online SC 466