

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 4336 OF 2024**

Anilbabu Venkatnarayan Karlapudi

... Petitioner

Versus.

State Of Maharashtra And Anr.

... Respondents

Sr. Adv. Manoj Mohite i/b Mr. Shailesh D. Chavan, for the
Petitioner.

Mr. Chaitanya Pendse i/b Mr. Mohit Dalvi, for the Respondent No.
2

Mr. V. B. Konde-Deshmukh, APP for the Respondent – State.

PI – Nitin Gije, Unit VI (GC4) EOW, Mumbai.

CORAM : ASHWIN D. BHOBE, J.

DATE : 8th MAY, 2026.

P.C. :

1. Heard Mr. Manoj Mohite learned Senior Advocate for the
Petitioner, Mr. V. B. Konde-Deshmukh, learned APP for the
Respondent – State and Mr. Chaitanya Pendse learned Advocate for
the Respondent No. 2.

2. This Petition under Article 226 of the Constitution of India
and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023,
is filed by the Petitioner seeking to quash FIR No. 57 of 2023,

dated 03.10.2023, registered with the Sahar Police Station (hereinafter "*impugned FIR*"), for offences punishable under Sections 408, 420, 465, 467, 468, and 471 of the Indian Penal Code, 1860 and the Chargesheet registered as Criminal Case No. 156/PW/2024, pending before the 47th Metropolitan Magistrate, Esplanade, Mumbai.

3. Mr. Chaitanya Pendse, Advocate for Respondent No. 2, states that the dispute which is the subject matter of the impugned FIR was is a commercial dispute between the Petitioner (accused) and the complainant DSV Air & Sea Private Ltd. (hereafter "said Company"). He states that Respondent No. 2 in this Petition is the Director of the said Company who represents the said Company. He states that by Resolution dated 28.06.2024, the said Company has authorized Respondent No. 2 to give no objection to the quashing of the impugned FIR and the Chargesheet. He states that Respondent No. 2 is duly authorised to appear before this Court, to make statements on behalf of the said Company and to sign/file an affidavit on behalf of the said Company.

4. Mr. Manoj Mohite, learned Senior Advocate for the Petitioner and Mr. Chaitanya Pendse, learned Advocate for the Respondent No. 2, submit that the private commercial dispute between the Petitioner and the said Company, represented herein by the Respondent No. 2, has been amicably settled. They further submit that the settlement between the parties is recorded in the Settlement Agreement dated 19.03.2024. They further submit that the said Company has resolved to consent to the quashing of the criminal proceedings and has authorised the Respondent No. 2 to give no objection. They further submit that, in accordance with the Resolution, the Respondent No. 2 has affirmed the Affidavit dated 08.05.2026. They therefore request the quashing of the impugned FIR and the Chargesheet.

5. The Petitioner is present in Court and is identified by Mr. Shailesh D Chavan, Advocate on record for the Petitioner. He tenders a photostat copy of the identity card of the Petitioner, which is taken on record and marked as “X” for identification.

6. Respondent No. 2 is present in Court and is identified by his Advocate Mr. Chaitanya Pendse. He submits a photostat of

Respondent No. 2's identity card, which is taken on record and marked as **"X-1"** for identification.

7. Mr. Chaitanya Pendse learned Advocate for the Respondent No.2 tenders the affidavit dated 08.05.2026 executed by Respondent No. 2 (Sandeep Suresh Tatke) the Director of the said Company, affirmed before Notary A R. Surve, the same is taken on record and mark **"X-2"** for identification.

8. Respondent No. 2 (Sandeep Tatke) states that he is the Director of the said Company and is authorized to represent the said Company in this Petition. He states that the Affidavit (X-2) is filed in terms of the resolution of the said Company, without any force or coercion from anyone. He states that the said Company has resolved the entire commercial dispute and has entered into the Settlement Agreement dated 19.03.2024 with the Petitioner. He states that based on the settlement, the said Company has resolved to give its no objection to the quashing of the impugned FIR and the chargesheet. He states that the contents of the Affidavit (X-2) are based on records of the said Company and are true and correct to his knowledge. He relies on paragraph No. 1 to

8 of his affidavit (X-2) which are transcribed herein below in verbatim :-

1. I say that I am Respondent No.2 in the above matter.

2. I say that I am the original complainant, and a Director of DSV Air & Sea Private Limited. I say that it was at my instance that FIR No. 470/2023 was registered at Sahar Police Station for offences under Sections 408, 420, 465, 467, 468, and 471 of the IPC. The said FIR was subsequently transferred to the Economic Offences Wing (EOW) and renumbered as FIR No. 57/2023. Upon conclusion of the investigation, a Chargesheet has been filed, and the matter is now numbered as Criminal Case No. 156/PW/2024, which is currently pending before the 47th Metropolitan Magistrate at Esplanade, Mumbai.

3. I say that the Petitioner and I, acting on behalf of the Company, have mutually resolved our disputes and have reached an amicable settlement. I no longer wish to prosecute the present Petitioner.

4. I say that the Petitioner and I, acting on behalf of the Company, have mutually resolved the dispute, and in furtherance thereof, a Settlement Agreement has been executed between the parties. Under the terms of the said Agreement, it was mutually agreed that as full and final settlement and compensation towards the breach

of employment, the Petitioner would pay a sum of Rs. 2 Crores, which has since been duly paid by him. It was further agreed that in exchange the Company shall withdraw all allegations leveled against the Petitioner. Herewith marked and annexed as Annexure-A is a copy of the Settlement Agreement.

5. I say that in furtherance of the aforesaid Settlement Agreement, a Resolution was also passed by the Board of Directors of DSV Air & Sea Private Limited on 28.06.2024, acknowledging the said Settlement, and thereby authorizing the Directors of the Company to take all necessary steps for the purpose of quashing the aforementioned criminal proceedings. Herewith marked and annexed as Annexure-B is a copy of the Board resolution dated 28.06.2024.

6. I say that, in view of settlement I hereby withdraw all the allegations levied against the Petitioner in the abovementioned FIR and hereby humbly pray that the Criminal Case bearing No. 156/PW/2024 pending before 47th Metropolitan Magistrate, Esplanade, Mumbai, arising out of FIR bearing C.R. No. 57 of 2023 dated 03.10.2023 registered with EOW for offence u/s. 408, 420, 465, 467, 468, 471 of the Indian Penal Code, be quashed and set aside.

7. I say that I have given my consent without any pressure, force, coercion and undue influence neither made from the Petitioner nor from any of his relatives.

8. I pray that the said consent be taken on record and that this Hon'ble Court be pleased to pass appropriate orders.

9. Mr. V. B. Konde-Deshmukh, learned APP for the Respondent No. 1-State, submits that the subject matter of the impugned FIR and the chargesheet is a private commercial dispute. He further submits that the Investigation Officer has no objection to the quashing of the impugned FIR and the chargesheet arising out of the impugned FIR. He, however, states that as a commercial dispute was brought to the Police Station and the Police machinery was set in motion, he therefore insists on the imposition of exemplary costs on the Petitioner as well as the Respondent No. 2.

10. Mr. Manoj Mohite and Mr. Chaitanya Pendse, on instructions from the Petitioner and the Respondent No. 2, state that appropriate costs would be paid.

11. Considering the facts mentioned hereinabove, the submissions of the learned Advocates for the parties, the predominantly civil nature of the dispute, the decision of the said Company as stated by the Respondent No. 2 before this Court and

in his Affidavit (X-2) and the no objection given by Mr. V. B. Konde-Deshmukh, learned APP, for quashing the impugned FIR and the criminal proceedings arising therefrom, no useful purpose would be served by continuing the criminal proceedings.

12. Having regard to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State of Punjab*¹, *Narinder Singh and Ors vs State of Punjab and Anr*² and *Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat*³, there is no impediment in allowing this Petition.

13. In view of the above, this Petition is allowed in terms of prayer clause (a), subject to the Petitioner paying the cost of Rs. 1,00,000/- and the Respondent No. 2 paying the costs of Rs. 1,00,000/-. Payment of costs is a condition precedent. Consequently, the impugned FIR and the chargesheet arising out of the impugned FIR are quashed.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

14. The Petitioner and Respondent No.2 shall deposit their respective costs in the account mentioned below within a period of four weeks from and file a compliance affidavit, along with the proof of deposit, in the Registry of this Court on or before 15.06.2026.

<i>Online Account Details of Advocate Aid Fund:-</i>	
Account Name :	<i>Bar Council of Maharashtra and Goa Advocate Aid Fund</i>
Bank Name :	<i>State Bank of India</i>
Account No. :	<i>10996711937</i>
Branch:	<i>Mumbai Main Branch</i>
IFSC Code:	<i>SBIN0000300</i>
Type of Account :	<i>Saving A/c</i>

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17. Criminal Writ Petition No. 4336 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)