

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 6123 OF 2024

Satish Ramvilash Pandey : Petitioner
Versus
The State of Maharashtra and anr. : Respondents.

Mr. Siddharth Singh i/by Adv. A M Sarogi Advocate for the
Petitioner.

Mr. Prasanna Malshe, APP for the Respondent/State.

Mr. Sumit Sharma Advocate for the Respondent No.2.

Mr. Sanvidhan Ramesh Chaure, PSI Naigaon Police Station,
present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 11 FEBRUARY 2026

PC:-

1. At the outset, Mr. Siddharth Singh, learned Advocate for the Petitioner, craves leave to carry out amendment in the cause title of the Petition to incorporate the details of the chargesheet, not objected to by Mr. Sumit Sharma, the learned Advocate for the Respondent No.2.

2. Leave to amend is granted. Amendment to be carried out forthwith.

3. Heard Mr. Siddharth Singh, learned Advocate for the Petitioner, Mr. Prasanna Malshe, learned APP for the

Respondent/State and Mr. Sumit Sharma, learned Advocate for Respondent No.2.

4. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Petitioner for quashing the FIR bearing No. 575 of 2024 dated 22 November 2024 registered with the Naigaon Police Station for the offences punishable under Section 420 of the Indian Penal Code and the Chargesheet bearing RCC No.192 of 2026 pending before the JMFC, Vasai.

5. The Petitioner is present in the Court and is identified by his Advocate Mr. Siddharth Singh. He tenders the 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 the Court and is identified by his Advocate Mr. Sumit Sharma. He tenders the Photostat copy of the Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for identification.

7. Mr. Siddharth Singh, learned Advocate for the Petitioner and Mr. Sumit Sharma, learned Advocate for the Respondent No.2, submit that the subject matter of the impugned FIR was a commercial transaction. They submit that the Petitioner and the Respondent No.2 have amicably resolved the matter. They submit that the Petitioner has paid the entire amount due to

the Respondent No.2. They submit that the Respondent No.2 has filed an Affidavit confirming that there is no dues payable to him and he has no objection for quashing of the criminal proceedings.

8. Mr.Sumit Sharma, learned Advocate for the Respondent No.,2, states that the Affidavit dated 11 February, 2026, affirmed by Respondent No.2 before the Notary Advocate S. N. Dhange, Fort, Mumbai is placed on record, same is marked as “X-2” for identification.

9. Respondent No. 2 states that the said Affidavit (X-2) is filed out of his own free will and without any pressure or coercion from any person. He states that the contents of the Affidavit (X-2) are as per his say. He reiterates his no objection for quashing of the criminal proceedings.

10. Mr. Prasanna Malshe, learned APP for the Respondent/State submits that a commercial/contractual dispute was sought to be given a criminal flavour by the Respondent No.2 by filing the impugned FIR. He submits that in view of the statement made by the Respondent No.2 in his Affidavit (X-2), nothing further would survive in the criminal proceedings and therefore the same can be quashed. He, however, insists for imposition of costs.

11. Mr. Siddharth Singh, learned Advocate for the Petitioner and Mr. Sumit Sharma, learned Advocate for the Respondent No.2, on instructions from the parties present in the Court,

submits that the Petitioner shall deposit an amount of Rs.15,000/- and the Respondent shall deposit an amount of Rs.10,000/- as costs.

12. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Petitioner and the Respondent No.2, the statement of Respondent No. 2 in the Affidavit (X-2) and having regards 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 above, Criminal Writ Petition No.6123 of 2024 is allowed in terms of prayer clause (a) subject to payment of costs of Rs.15,000/- by the Petitioner and Rs.10,000/- by the Respondent No.2. Consequently, the impugned FIR bearing No. 575 of 2024 dated 22 November 2024 registered with the Naigaon Police Station and the Chargesheet bearing RCC No.192 of 2026 pending before the JMFC, Vasai. are quashed.

14. The Petitioner and the Respondent No.2 shall deposit the costs of Rs.15,000/- and Rs.10,000/- respectively in the below mentioned Account within a period of two weeks from today and file in the Registry the compliance affidavit along with the proof of deposit on or before 10 March 2026,

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

Deepstambh Foundation, Delhi
Bank Name : ICICI Bank
Account Name : Deepstambh Foundation Delhi
Account Number : 697401700986
Account Type : Savings
IFSC Code : ICIC0006974
MICR Code : 425229003

15. This Criminal Application is allowed in the above-said terms.

(ASHWIN D. BHOBE, J.)