

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 395 OF 2026**

Parshuram Rayappa Gawandi ... Petitioner

Versus.

The State Of Maharashtra And Anr. ... Respondents

Mr. Vighnesh Ashokan a/w Omkar hase i/b Sachin Deokar, for the
Petitioner.

Petitioner is present in Court.

Mr. Suraj Gadkari, for the Respondent No. 2.

Respondent No. 2 is present in Court.

Ms. Rajeshree Newton, APP for the Respondent – State.

PSI B. S. Ware, Dighi Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 9th April, 2026.

P.C. :

1. Heard Mr. Vighnesh Ashokan, learned Advocate for the
Petitioner, Mrs. Rajeshree Newton learned APP for the Respondent
- State and Mr. Suraj Gadkari 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. 556 of 2026, dated 07.11.2025, registered with Dighi Police Station, Pimpri Chinchwad, District Pune (hereinafter “impugned FIR”), for offences punishable under Sections 64, 64(1), 69 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Vighnesh Ashokan and Mr. Suraj Gadkari submit that the Petitioner and the Respondent No. 2 were friends, which developed into a relationship and subsequently into a consensual physical relationship. They submit that a dispute between the Petitioner and the Respondent No. 2 soured their relationship, leading the Respondent No. 2 to file a complaint registered as the impugned FIR. They submit that the Petitioner and the Respondent No. 2 have now reconciled their differences and settled the dispute. They submit that the Respondent No. 2 intends to marry a person of her choice and lead a peaceful life. They submit that the Respondent No. 2 does not wish to continue with the criminal proceedings. They submit that the Respondent No. 2 has given her no objection, in an affidavit dated 02.04.2026, to the quashing of the impugned FIR. They therefore request the quashing of the

impugned FIR.

4. The Petitioner is present in Court and is identified by his Advocate, Mr. Vighnesh Ashokan. He submits a photocopy of the Petitioner's identity card, which is taken on record and marked as **"X"** for identification.

5. Respondent No. 2 is present in Court and is identified by her Advocate Mr. Suraj Gadkari. He submits a photocopy of Respondent No. 2's identity card, which is taken on record and marked as **"X-1"** for identification.

6. Mr. Suraj Gadkari states that the Affidavit dated 02.04.2026 affirmed by the Respondent No. 2, before the Notary Snehal Sawant, Gr. Mumbai, is placed on record, the same is marked as **"X-2"** for identification.

7. Respondent No. 2 states that she has filed the Affidavit (X-2) of her own free will, without any force or coercion from anyone. She states that the contents of the Affidavit (X-2) are true and as per her say. She states that she and the Petitioner were friends and

had a consensual physical relationship. She submits that it was due to a misunderstanding between them that resulted in the filing of the impugned FIR against the Petitioner. She states that she has amicably resolved the dispute with the Petitioner. She states that she has no grievance whatsoever against the Petitioner. She states that she does not intend to continue with the criminal proceedings, as she plans to settle down by getting married. She states that she will not support the prosecution. She states that she has given her no objection in the Affidavit (X-2). She reiterates her no objection to the quashing of the impugned FIR and, as such, requests the quashing of the impugned FIR.

8. Ms. Rajeshree Newton, learned APP for the Respondent – State, submits that from the statements made by the Respondent No. 2 in Court today, it is evident that the physical relationship between the Petitioner and the Respondent No. 2 was consensual. She submits that the Respondent No. 2 unnecessarily dragged the police machinery into this dispute. She, however, states that in view of the settlement between the Petitioner and the Respondent No. 2 and more particularly, the Respondent No. 2 having

expressed the intention to settle in life, she has no objection to the quashing of the impugned FIR. However, she insists on the imposition of exemplary costs on the Petitioner and the Respondent No. 2.

9. Mr. Vighnesh Ashokan and Mr. Suraj Gadkari, learned Advocates, on instructions from the Petitioner and the Respondent No. 2 state that they shall pay appropriate costs.

10. The Hon'ble Supreme Court in the case of *Madhukar and Ors. v. State of Maharashtra*¹, in paragraph No. 6 has made the following observation:-

6. At the outset, we recognise that the offence under Section 376 IPC is undoubtedly of a grave and heinous nature. Ordinarily, quashing of proceedings involving such offences on the ground of settlement between the parties is discouraged and should not be permitted lightly. However, the power of the Court under Section 482 CrPC to secure the ends of justice is not constrained by a rigid formula and must be exercised with reference to the facts of each case.

¹ (2025) SCC OnLine SC 1415

11. Considering the facts mentioned hereinabove, the submissions of the learned Advocates for the parties, the statement made by the Respondent No. 2 before this Court that her physical relationship with the Petitioner was consensual, her no objection in her Affidavit (X-2), her statement that she does not intend to pursue the criminal proceedings as she wants to get married and settle in life, continuing the criminal proceedings would result in agony to the Respondent No. 2. In view of the same and having regard to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State of Punjab*², *Narinder Singh and Ors vs State of Punjab and Anr*³ and *Parbatbhai Aahir @ Parbatbhai vs The State of Gujarat*⁴, to secure ends of justice, the prayer made in this petition is allowed.

12. This Petition is allowed in terms of prayer clause (b), subject to payment of cost of Rs. 50,000/- each by the Petitioner and the Respondent No. 2. Payment of costs is a condition precedent. Consequently, the impugned FIR is quashed.

2 2012 10 SCC 303

3 2014 6 SCC 466

4 2017 9 SCC 641

13. The Petitioner shall deposit the cost of Rs. 50,000/- into the account mentioned below within a period of two (2) weeks from today.

Account Name :-	High Court Law Library
Account Number :-	10996686636
Bank Name :-	State Bank Of India
Branch Name :-	Mumbai Main Branch
IFSC Code :-	SBIN0000300

14. The Respondent No. 2 shall deposit the cost of Rs. 50,000/- in the account mentioned below within a period of two (2) weeks from today.

Account Name :-	BCMG'S Advocate Academy & Research Center.
Account Number :-	000120110001327
Bank Name :-	Bank of India
Branch Name :-	Mumbai Main Branch

IFSC Code :-	BKID0000001
Type of Account:-	Current Account

15. The compliance affidavit, along with the proof of deposit, shall be filed by the Petitioner and Respondent No. 2 with the Registry of this Court on or before 02.05.2026.

16. Writ Petition No. 395 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

Digitally
signed by
ARJUN
KRISHNA
RODGE
Date:
2026.04.21
12:38:43
+0530