

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 849 OF 2026**

1. ~~Rahul Manohar Vanjare,~~
(Deleted)
2. ~~Snehal Rahul Vanjare,~~
(Deleted)
3. **Taksh Rahul Vanjare**
Age: 20 Years, Occ : Student
Residing at Flat No. 1101,
Sajag CHSL, Kasturpark,
Shimpoli Road, Borivali West,
Mumbai – 400 092

...Petitioners

Versus

1. **State of Maharashtra**
through Sr. Inspector of Police
Borivali Police Station, Mumbai
(Copy to be served on Public
Prosecutor High Court A. S.
2. **Smt. Shilpa Rajesh Pandya**
Age : Adult, Occ : Not Known,
residing at C. 209,
Siddhivinayak Plaza Society,
New Link Road, Borivali (West),
Mumbai - 400092

...Respondents

Mr. C. K. Pendse a/w Prashant Jadhav and Hamid Ansari, for
the Petitioners.

Senior Advocate Mr. Sanjeev Kadam a/w Varsha Thorat and
B. R. Patil, for the Respondent No. 2

Mr. Sukanta Karmakar, APP for the Respondent – State.

PI Milind Nagpure, Borivali Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.
DATE : 21st April, 2026

Oral Judgment :

1. Heard Mr. C. K. Pendse learned Advocate for the Petitioners, Mr. Sanjeev Kadam learned Senior Advocate for the Respondent No. 2 and Mr. Sukanta Karmakar, learned APP for the Respondent – State.

2. At the outset, Mr. C. K. Pendse learned Advocate for the Petitioners, on instructions from Petitioner No. 1 (Rahul Manohar Vanjare) and Petitioner No. 2 (Snehal Rahul Vanjare), seeks leave to withdraw the present Petition on their behalf, with liberty to file appropriate proceedings in the event a chargesheet is filed and cognizance of the chargesheet is taken by the Court. This request made by Mr. C. K. Pendse is not objected to by Mr. Sanjeev Kadam learned Senior Advocate for Respondent No. 2 or by Mr. Sukanta Karmakar learned APP for the Respondent – State.

3. In view of the statement made by Mr. C. K. Pendse and the no objection from Mr. Sanjeev Kadam, learned Senior Advocate,

and Mr. Sukanta Karmakar, leave is granted to withdraw the present Petition in respect of Petitioner No. 1 (Rahul Manohar Vanjare) and Petitioner No. 2 (Snehal Rahul Vanjare), with liberty as prayed. In view of the said leave, this Petition stands dismissed as against Petitioner Nos. 1 and 2, with liberty as prayed.

4. Mr C. K. Pendse, learned Advocate for the Petitioners, seeks leave to carry out the amendment forthwith. Permission granted. Upon the deletion of the Petitioner Nos. 1 and 2, Taksh Rahul Vanjare is the sole Petitioner in this Petition.

5. This Petition is filed under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nyaya Sanhita, 2023, for the quashing of the FIR No. 1010 of 2025, dated 13.12.2025 registered with Borivali Police Station, Mumbai (hereafter "*impugned FIR*"), for offences punishable under Sections 3(5), 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023.

6. Rule. The rule made returnable forthwith and with the consent of the parties, heard finally.

7. Material facts for the adjudication of the present Petition are that the Petitioner is the son of Rahul Manohar Vanjare and Snehal Manohar Vanjare, who have a dispute with Respondent No. 2 in respect of several property-related matters. The allegations in the impugned FIR pertain to various properties (movable and immovable) belonging to the estate of late Manohar Shantaram Vanjare and subject matter of the Will dated 08.07.2006.

8. Mr. C. K. Pendse learned Advocate for the Petitioner, submits that the impugned FIR contains no allegations against the Petitioner. He submits that the inclusion of the Petitioner in the dispute between the Petitioner's parents and the Respondent No. 2 constitutes an abuse of process of law in relation to the Petitioner. He further submits that the dispute, which is the subject matter of the impugned FIR, is a family dispute amongst Rahul Manohar Vanjare, Snehal Manohar Vanjare and the Respondent No. 2. He therefore prays for the quashing of the impugned FIR against the Petitioner.

9. Mr. Sanjeev Kadam learned Senior Advocate for Respondent No. 2, submits that Respondent No. 2 has not made any

allegations against the Petitioner (Taksh Rahul Vanjare) in the impugned FIR. In all fairness, on instructions of Respondent No. 2, Mr. Kadam states that the Petitioner is not a signatory to any of the minutes/meetings held among the family members in relation to the Will dated 08.07.2006. He therefore does not contest or oppose the contention raised on behalf of the Petitioner by Mr. C. K. Pendse, learned Advocate for the Petitioner.

10. Mr. Sukanta Karmakar, learned APP for the Respondent – State, submits that there are no allegations or averments made against the Petitioner in the impugned FIR.

11. Heard arguments. Perused the records.

12. The Petitioner (a 20-year-old boy) appears to have been caught in the dispute between his parents and Respondent No. 2 (the Petitioner's paternal aunt).

13. A perusal of the impugned FIR does not disclose any averments, let alone any allegations, against the Petitioner to attract the offences alleged in the impugned FIR.

14. Considering the facts stated above and the statement made by Mr. Sanjeev Kadam learned Senior Advocate for Respondent No. 2, this is a fit case to exercise jurisdiction under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to secure the ends of justice.

15. In view of the above, this Petition is allowed. Rule made absolute in terms of the prayer clause (a). Consequently, the impugned FIR dated 13.12.2025, registered with the Borivali Police Station, is quashed as against the Petitioner (Taksh Rahul Vanjare).

16. There shall be no orders as to costs.

(ASHWIN D. BHOBE, J.)

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