

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 889 OF 2025

Sumit Dharmchand Goel	... Petitioner
V/s.	
The State of Maharashtra	... Respondents

Mr. Sheeba Khan a/w Mr. Nizamuddin Khan & N. Khan, Advocates
for the Petitioner.

Mr. Pratik Gupta, Advocate for Original Complainant / Intervenor.
Mr. Sukanta Karmakar, APP for Respondent No. 1 – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 16^h JANUARY, 2026.

P.C. :

1. By the present Petition, the Petitioner had sought for
the following substantive reliefs :-

“B. That this Hon’ble Court exercising powers under Article 226 of the Constitution of India, 1950 and inherent powers 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 be pleased to quash and set aside the F.I.R. vide C. R. No. 0873 of 2024 dated 13.09.2024 registered with Juhu police station for the offences punishable under sections 69 & 352 of BHARTIYA NYAY SANHITA (BNS), 2023.”

2. Petitioner is present along with his Advocate Ms.
Sheeba Khan. Respondent No. 2 (Original Complainant) along

with her Advocate Mr. Pratik Gupta is present before this Court.

3. Mr. Pratik Gupta has tendered an affidavit dated 28th October, 2025 along with the photostat copy of the Identity Card of the Respondent No. 2. Respondent No. 2 (Shweta Pankaj Tiwari) admits her signature at point 'A' of the affidavit. Said affidavit dated 28th October, 2025 along with the photostat copy of the photo Identity Card of Respondent No. 2 are taken on record and marked '**X colly**' for identification. Respondent No. 2 states that the said affidavit is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of paragraph Nos. 1 to 8 of the affidavit are as per her say. She states that she had relationship with the Accused. She states that it was out of anger that she registered the crime against the Petitioner. She further states that she has now realized that her drastic step of filing the complaint was not necessary. She in paragraph No. 5 of the affidavit at '**X colly**' has stated that she has no grievance or any grudge or any ill feeling towards the Petitioner and that she has no objection for quashing of the FIR impugned in the present Petition.

4. Applicant who is present in court states that the dispute with Respondent No. 2 is amicably settled.

5. Mr. Sheeba Khan, learned Advocate for the Petitioner and Mr. Pratik Gupta learned Advocate for the Respondent No. 2, jointly submit that the matter between the parties being amicably settled, criminal proceedings filed by the Respondent No.2 against the Petitioner may not be continued and the same be quashed.

6. Mr. Sukanta Karmakar, APP for Respondent No. 1 after perusing the affidavit marked as 'X-colly', submits that no purpose would be served in continuing with the criminal proceedings and therefore fairly submits that the subject FIR be quashed.

7. The Hon'ble Supreme Court in *Madhukar v. State of Maharashtra*¹ has held that ordinarily quashing of proceedings involving offences of heinous and grievous in nature is discouraged and should not be permitted lightly. However, the inherent powers secure the ends of justice are not constrained by a rigid formula and must be exercised with reference to the facts of each case.

1. 2025 SCC OnLine SC 1415

8. Considering the facts stated herein above, the statements made by the Respondent No. 2 in the the affidavit ('X colly') as also the statements made today before this Court by the Respondent No. 2 by the Respondent No. 2 that the differences between the parties have been settled, as such the Respondent no. 2 does not wish to proceed with the prosecution, guided by the decision of the Hon'ble Supreme Court in the case of *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*², I deem it fit and proper to exercise powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') to quash the criminal proceedings.

9. In view of the above, the Petition is allowed in terms of prayer clause (B). Consequently, the FIR bearing No. 0873 of 2024 dated 13th September, 2025 registered with Juhu Police Station is quashed.

10. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)

² (2017) 9 SCC 641.