

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1004 OF 2026

Ashish Namdev Zade

... Petitioner

V/S.

State Of Maharashtra And Ors.

... Respondents

Mr. Rushikesh Barge, learned Advocate for the Petitioner.

Petitioner is present in Court.

Mr. Amit Mane, learned Advocate for the Respondent No. 3.

Respondent No. 3 is present in Court.

Mr. Tanveer Khan, learned APP for the Respondent – State.

PSI J D Bhosale, Alankar Police Station, Pune, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 7th March, 2026.

P.C. :

1. Heard Mr. Rushikesh Barge, learned Advocate for the Petitioner, Mr. Tanveer Khan, learned APP for the Respondent No. 1 and 2, Mr. Amit Mane, learned Advocate for the Respondent No. 3.

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 for quashing the FIR dated 19th December, 2024, bearing No. 209 of 2024 (impugned FIR) registered at

Alankar Police Station, Pune, and the chargesheet No. 134 of 2025 arising from the impugned FIR.

3. Petitioner is present in Court and is identified by his Advocate Mr. Rushikesh Barge. He tenders the Photostat copy of the Petitioner's Identity Card, which is taken on record and marked as **“X”** for identification.

4. Respondent No. 3 is present in court and is identified by his advocate, Mr. Amit Mane. He submits a photocopy of Respondent No. 3's Identity Card, which is taken on record and marked as **“X-1”** for identification.

5. Mr. Amit Mane states that the Affidavit dated 15th November, 2025, affirmed before Notary Prakash Maruti Dambre, and the Affidavit dated 7th March, 2026, affirmed before Notary S. N. Dhange, are placed on record. Both Affidavits are marked as **“X-2 Colly”** for identification.

6. Respondent No. 3 states that the said Affidavits (X-2-Colly) are filed of his own free will and without any pressure or coercion

from anyone. He states that the contents of the Affidavits (X-2 Colly) are as per his say. He reiterates his no objection to the quashing of the criminal proceedings.

7. Mr Rushikesh Barge and Mr Amit Mane submit that the subject matter of the impugned FIR pertains to an employer–employee relationship and the issues pertaining to the confidentiality clause in the contract governing their relationship. They submit that the Petitioner’s (Employee) resignation from the employment of the Respondent No. 3 gave rise to a dispute between the Petitioner and the Respondent No. 3. The said dispute resulted in the Respondent No. 3 approaching the Respondent No. 1 by way of a complaint, which came to be registered as the impugned FIR. They submit that the dispute between the Petitioner and the Respondent No. 3 is a private contractual dispute and the consequences arising out of breach / non-performance of the contract. They submit that the subject matter of the impugned FIR does not involve any public money or any amount pertaining to public institutions or financial institutions. They submit that the Petitioner and the Respondent No. 3 have

now amicably resolved the dispute; as such, the Respondent No. 3 has given no objection in the Affidavits (X-2 colly) to the quashing of the impugned FIR and the chargesheet arising out of the impugned FIR.

8. Mr Tanveer Khan, learned APP for the State, submits that a private contractual dispute was given a criminal flavour and the police machinery was put in action. He submits that in view of the settlement of the private dispute between the Petitioner and the Respondent No. 3 and the statements made by the Respondent No. 3 in the Affidavits (X-2 Colly), he has no objection for quashing of the impugned FIR and the chargesheet. He, however, insists on imposing exemplary costs on the parties.

9. Mr. Rushikesh Barge and Mr. Amit Mane, learned Advocates, on instructions from the Petitioner and the Respondent No. 3 submit that they shall deposit appropriate cost.

10. Considering the aforementioned circumstances, the submissions of the learned Advocates, the nature of the dispute being a private matter, i.e., employer–employee relationship

between the Petitioner and Respondent No. 3 arising out of issues pertaining to the confidentiality clause, the dispute being settled between them, and the statements of Respondent No. 3 in the affidavits (X-2 Colly), no useful purpose will be served by allowing the criminal proceedings to continue. Having regard to the pronouncements of the Hon'ble Supreme Court in the cases of Gian Singh vs State Of Punjab, Narinder Singh And Ors vs State Of Punjab And Anr, and Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat, there is no impediment to allowing this petition.

11. In view of the above, Criminal Writ Petition No. 1004 of 2026 is allowed in terms of prayer clause (a) and (c), subject to payment of costs of Rs. 50,000/- as a condition precedent. Consequently, the impugned FIR bearing No. 209 of 2024 and the chargesheet arising out of the impugned FIR are quashed.

12. The Petitioner shall deposit cost of Rs. 25,000/- in the below mentioned Account of Pune City Police Welfare Fund within a period of two weeks from today.

Pune City Police Welfare Fund	
Bank Name :	State Bank Of India
Account No.:	11099462244
Branch Name :	Treasury Branch, Pune
IFSC Code:-	SBIN0001904

13. The Respondent No. 3 shall deposit a cost of Rs. 25,000/- in the below mentioned Account of The High Court Employees Medical Welfare Fund at Mumbai within a period of two weeks from today.

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India
Branch:	Mumbai Main
IFSC Code:	BKID0000001

14. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 30th March, 2026.

15. Mr. Rushikesh Barge states that Rs. 7,00,000/- has been deposited in this Court. He states that the Petitioner has undertaken to pay Rs. 7,00,000/- to Respondent No. 3. He states that Respondent No. 3 is entitled to withdraw the said amount of Rs. 7,00,000/- from this Court. He, on instructions from the Petitioner present in Court, undertakes to give no objection to the withdrawal of the said amount, as and when Respondent No. 3 makes an application for withdrawal before this Court. The statement of Mr. Rushikesh Barge is taken on record.

16. Writ Petition No. 1004 of 2026 is allowed in above-said terms.

(ASHWIN D. BHOBE, J.)

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signed by
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KRISHNA
RODGE
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