

lgc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2827 OF 2025

Rajanikant Suraj Rambachkaniwala & ors. : Petitioners.

Versus.

The State of Maharashtra and anr. : Respondents.

Ms. Siddh Vidya a/w Ms. Divya Maniar Ms. Shalaka Karkar
and Ms. Mansi Sahani i/by Siddh Vidya Associates for the
Petitioners.

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

Mr. Ashish Baraskar a/w Mr. Aavez Shaikh for the Respondent
No.2.

API Vishal Teli, Cuffe Parade Police Station present.

CORAM : ASHWIN D. BHOBE, J.

DATED : 10 APRIL 2026

PC:-

gc

1. Heard Ms Siddh Vidya, learned Advocate for the
Petitioners, Mr. Sukanta Karmakar, learned APP for the
Respondent/State and Mr.Ashish Baraskar, learned Advocate
for 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 Petitioners for quashing the FIR
bearing No. 26 of 2025 (impugned FIR) registered with the
Cuffe Parade Police Station.

3. Ms. Siddh Vidya, learned Advocate for the Petitioners and Mr. Ashish Baraskar, learned Advocate for the Respondent No.2, submit that the subject matter of the impugned FIR was a private civil dispute between the India International Textile Machinery Exhibitions Society (India ITME Society), its members and the managing committee. They submit that the said dispute has been amicably resolved by way of a Settlement Agreement dated 03 May 2025 and that the managing committee of the India ITME Society has resolved to withdraw the criminal proceedings filed by the Respondent No.2 against the Petitioners. They submit that the subject matter of the impugned FIR does not pertain to any public fund or any funds from any financial institution or public authority. They submit that Mr. Ketan Sanghvi (the chairman of the India ITME Society) has been authorised to appear, represent and file an Affidavit on behalf of the India ITME Society, by resolution dated 19 September 2025. They tender the copy of the resolution dated 19 September 2025 passed in the meeting of the steering committee of the India ITME Society held at Nariman Point, Mumbai, same is taken on record and marked with "A" for identification.

4. Ms. Siddh Vidya, learned Advocate for the Petitioners, submits that the Petitioners are from Gujarat and therefore requests that their physical appearance be exempted and that they be permitted to appear through V.C. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that, as Respondent No.2 is present in Court, the exemption

may be granted to the Petitioners, subject to Ms. Siddh Vidya, learned Advocate for the Petitioners, identifying them on V.C. In view of the no objection, the Petitioners are permitted to appear through V.C.

5. The Petitioners appear through V.C. and are identified by their Advocate Ms. Siddh Vidya. She tenders the Photostat copies of Petitioners' Identity Cards, which are taken on record and marked as "**X-Colly**" for identification.

6. Respondent No.2 – Ketan Bhawanidas Sanghvi is present in the Court and is identified by his Advocate, Mr. Ashish Baraskar. He tenders the photostat copy of Respondent No.2's Identity Card, which is taken on record and marked as "**X-1**" for identification.

7. Mr. Ashish Baraskar, learned Advocate for the Respondent No.2 states that, the Affidavit dated 20 February 2026 affirmed by Respondent No.2-Mr. Ketan Sanghvi, before the Notary Manav H. B. is placed on record, the same is marked as "**X-2**" for identification.

8. Respondent No.2 – Mr. Ketan Sanghvi, states that he is the Chairman of the India ITME Society and he is duly authorised by the steering committee of the India ITME Society to appear before this Court, to represent it and to consent to the quashing of the impugned FIR in view of the settlement between the parties. He states that he is authorized to file the Affidavit (X-2) and to place before this Court the

decision of the India ITME Society to give no objection for quashing of the impugned FIR which was lodged based on his complaint. He states that the Affidavit dated (X-2) has been filed by him on instructions and authority of the India ITME Society. He states that the contents of the said Affidavit are based on the record of the India ITME Society and they are as per his say. He states that in view of the resolution dated 19 September 2025 ("A") of the India ITME Society, the India ITME Society is not interested in continuing with the criminal proceedings against the Petitioners. He reiterated the no objection of the India ITME Society which is recorded by him in paragraph 5 of the Affidavit (X-2). 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 relies on paragraphs 2 to 6 of the Affidavit (X-2) which are transcribed herein below in verbatim :-

"2. I say that I have been authorized by the India International Textile Machinery Exhibitions Society (India ITME society) by resolution dated 19/09/2025 to file the present affidavit for consenting quashing of above FIR.

3. I say that the Petitioners and ITME has settled the dispute and I have also signed a Settlement Agreement dated 03/05/2025 on behalf of India ITME Society regarding the settlement between us, whereby I have agreed that I shall proceed for quashing of FIR & all the Civil & Criminal proceedings against the Petitioners. I say that the copy of the settlement agreement is annexed to the writ petition filed by the Petitioners.

4. I say that in pursuance of the settlement agreement, India International Textile Machinery Exhibitions Society (India ITME society) has received entire pending amount of Rs. 1,76,21,250/- totalling 6,01,00,000/-.

5. I say that India ITME Society does not wish to proceed with the matter and hence as the cause for the said FIR itself ceases to exist subject to fulfilment of the settlement agreement since the time is essence of the settlement agreement, there is no reason to continue with the said proceedings at this stage and furthermore, India ITME Society does not wish to prosecute the Petitioners in the said matter.

6. I say that I have been authorized by IndiaInternational Textile Machinery Exhibitions Society (India IIME society) in view of the settlement agreement. I say that India ITME Society has willingly decided on mutual consent with the Petitioners to approach this Hon'ble Court for Quashing of the FIR arising out of the said complaint, without any fraud, force and/or undue influence being practiced upon me. I also submit that, there is no collusion or connivance of whatsoever nature in filing this application and that the same is being done as the dispute is conclusively settled."

9. Mr. Sukanta Karmakar, learned APP for the Respondent/State, submits that a private dispute between the India ITME Society, its members, and the then managing committee was given a criminal flavour by Respondent No.2, thereby involving the police machinery in a matter that did not warrant such involvement. He, however, submits that in view of the settlement agreement dated 03 May 2025 between the Petitioners and India ITME Society and the statement made by Respondent No.2 before this Court and in the Affidavit (X-2), he does not object to the quashing of the impugned FIR. He, however, insists on the imposition of exemplary costs on the Petitioners as well as Respondent No.2.

10. Ms. Siddh Vidya, learned Advocate for the Petitioners and Mr. Ashish Baraskar, learned Advocate for the Respondent

No.2, on instructions, submit that appropriate costs would be paid.

11. Considering the facts mentioned hereinabove, the submissions made by the learned Advocates for the parties, the nature of the dispute being civil and predominantly between the Petitioners and the India ITME Society, which has been amicably resolved by way of a settlement agreement dated 03 May 2025, the India ITME Society's resolution to withdraw/not pursue the criminal proceedings, as more particularly set out in the resolution dated 19 September 2025 ("A") and the statements made by Mr. Ketan Sanghvi (the Chairman of the India ITME Society) in his Affidavit ('X'), no useful purpose will be served by allowing the criminal prosecution to continue. Having regard to the pronouncements of the Hon'ble Supreme Court in *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 Writ Petition.

12. In view of the above, Criminal Writ Petition No.2827 of 2025 is allowed in terms of prayer clause (a), subject to each of the Petitioners paying Rs.1,00,000/- and Respondent No.2 paying Rs.1,00,000/- as costs. Payment of costs is a condition precedent. Consequently, the impugned FIR is quashed.

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

13. The Petitioners and the Respondent No.2 shall deposit their respective costs in the below-mentioned Accounts within a period of three weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 04 May 2026.

a] Each of the Petitioners shall deposit the amount of Rs.1,00,000/- in :-

High Court Law Library

Bank : State Bank of India
Branch : Mumbai Main Branch
Account No.: 10996686636

b] The Respondent No.2 (India ITME Society) shall deposit the amount of Rs.1,00,000/- in:-

AAWI Generation Next

Account No: 000110110007807
Bank : Bank of India
Branch : Branch Mumbai Main Branch
IFSC Code: BKID0000001

14. The Criminal Writ Petition No.2827 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)