

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4446 OF 2025

Balram Radhkrishna Sopra ... Petitioner

V/s.

Neelu Chiranjeevlal Thakur ... Respondent

Ms. Nidhi Shah, Advocate for the Petitioner.

Ms. Swati Panchal i/b Mr. S. Adil, Advocate for Respondent No. 2.

Mr. Prasanna Malshe, APP for Respondent – State.

Mr. Dattatray Patil – API, Nalasopara Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATE : 30th JANUARY, 2026.

P.C. :

1. This Petition filed under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita ('BNSS'), is preferred against the FIR bearing No. 0145 of 2022 registered with Nallasopare Police Station for the offences punishable under Section 376(2)(n) and 417 of the Indian Penal Code (for "IPC") and the charge-sheet bearing No. R.C.C. No. 2199

of 2022, arising out of the said FIR.

2. Petitioner is present with his Advocate Ms. Nidhi Shah, who identifies the Petitioner and tenders photostat copy of Petitioner's Identity Card, same is taken on record and marked 'X' for identification.

3. Respondent No. 2 is present with her Advocate Ms. Swati Panchal, who identifies Respondent No. 2.

4. Ms. Nidhi Shah and Ms. Swati Panchal jointly submit that the Petitioner and Respondent No. 2 were acquaintances. They submit that on account of a misunderstanding between them the FIR came to be lodged by the Respondent No. 2. They submit that the Petitioner and the Respondent No. 2 have now amicably resolved the matter and the Respondent No. 2 does not intend to continue with the criminal proceedings.

5. Ms. Swati Panchal, learned Advocate for Respondent No. 2 tenders affidavit affirmed by Respondent No. 2 before Notary P. Jacob Nainan, Mumbai on 30th January, 2026 along with

the photo identity card of the Respondent No. 2, same are taken on record and marked as 'X-1' for identification.

6. Respondent No. 2 who is present in Court states her Advocate Ms. Swati Panchal has explained the contents of the affidavit ('X-1') to her in Marathi. She submits that the contents of the affidavit 'X-1' are as per her say. She states that the affidavit has been filed out of her own free will and without any pressure or coercion from any person. She submits that she has amicably settled the matter with the Petitioner and therefore she has no objection to the quashing of the criminal complaint.

7. Mr. Prasanna Malshe, learned APP for the State, submits that no purpose would be served in continuing with the criminal proceedings in view of the statement made by Respondent No. 2 today before this Court as also in her affidavit ('X-1'). He however submits that the parties should be directed to pay costs for using the criminal law to settle their dispute.

8. Ms. Nidhi Shah and Ms. Swati Panchal, on instructions

from the Petitioner and Respondent No. 2 present state that the Petitioner and Respondent No. 2 shall pay an amount of 15,000/- each (total 30,000/-) as cost.

9. Considering the aforesaid circumstances, the statements made by Respondent No. 2 in the documents at 'X' and 'X-1' and having regard to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh V. State of Punjab*¹, *Parbatbhai Aahir Alias Prabatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat Anr*², *Narinder Singh & Ors. Vs. State of Punjab & Anr.*³ and *Sandeep Singh Thakur Vs. State of Madhya Pradesh and Anr.*⁴ there is no impediment for allowing this Petition.

10. This Petition is allowed in terms of prayer clause (a), subject to payment of cost of Rs. 30,000/-. Consequently, the impugned FIR bearing C. R. No. 0145 of 2022 registered with Nallasopara Police Station, Thane and the charge-sheet arising out of the impugned FIR are quashed.

1 (2012) 10 SCC 303

2 (2017) 9 SCC 641

3 (2014) 6 SCC 466

4 2025 SCC OnLine SC 2927

11. Petitioner and Respondent No. 2 shall deposit an amount of Rs. 15,000/- each, within two weeks from today, in the below-mentioned bank account and furnish proof of deposit in the Registry of this Court:-

Central Police Welfare Fund

Account No: 914010029005759

Bank : Axis Bank Limited

Branch : Worli, Mumbai (M.H.), Mumbai - 400 025

IFSC Code: UTIB0000060

12. List the matter on 23rd February, 2026 for reporting compliance of deposit of costs.

(ASHWIN D. BHOBE, J.)