

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 6742 OF 2025

Bhupendra Narayanbhai
Anghan Patel And Ors.

... Petitioners

Vs.

Chetanpopatlal Salla And Anr.

... Respondents

Mr. Pranav P. More for the Petitioners.
Mr. Rohan M. Surve for the Respondent No. 1.
Mr. Y. M. Nakhwa, APP for the Respondent No. 2-State.

CORAM : RANJITSINHA RAJA BHONSALE , J.

DATED : 13th FEBRUARY, 2026.

P. C. :-

1. Heard learned Advocates for the parties.
2. Learned Advocate for the Petitioners seeks leave to amend to the prayer clause and to mention the number of charge-sheet/criminal case number. Leave is granted. Amendment to be carried out forthwith.
3. The Petitioners have filed the the present Petition under Article 226 of the Constitution of India and Section 482 of the Code of Criminal procedure, seeking quashing of the FIR bearing No. 198 of 2022 dated 1st June 2022 registered with the Arnala Sagari Police Station for the offences punishable under Section 420, 423, 465, 467, 468, 471 and 120(B) of the Indian Penal Code and R.C.C. No. 2267 of 2023.

4. Learned Advocate for the Petitioners submits that, the Petitioners and Respondent No. 1 had resolved the disputes and settled all the issues. The Petitioner No. 1 and Respondent No. 1 are being partners with the intervention of the Chartered Accountant Mr. Bharat Majithiya and Mr. Avinash Vighvansh, Advocate have settled all their disputes amicably.

5. Pursuant to the settlement deed the Respondent No. 1 has been given 8 shops in the building known as K-avenue. The Petitioner No. 1 has been given 21 shops and 2 flats and one Mr. Laljibhai Chaklasiya has been allotted 3 shops and 5 flats.

6. The Petitioners are present in Court. Learned Advocate for the Petitioners tendered the photocopies of the Aadhar Card. The same is taken on record and marked as 'X-1', 'X-2', 'X-3' and 'X-4' for identification. Respondent No. 1 is present in court and identified by his Advocate. Learned Advocate for the Respondent No. 1 has tendered the copy of Aadhar card of Respondent No. 1. The same is taken on record and marked as 'X-5' for identification.

7. The FIR proceeds on the basis that the Petitioner No. 1 and Respondent No. 1 were partners in the firm known as M/s Sridutt Constructions. The contention of the Respondent No. 1 is that, certain units/shops which were to be allotted to his share as a partner have been misappropriated by the Petitioners by using the power of attorney and certain documents which were executed in the blank form.

8. The Respondent No. 2 reiterates the contents of the Affidavit dated 13th February 2026. Perusal of the Consent Affidavit dated 13th February 2026, indicates that the Respondent No. 1 has given his no objection for the quashing of the present proceeding. Respondent No. 1 has stated that, the settlement has been arrived at voluntarily, out of free will and without any coercion, pressure, undue influence or misrepresentation from any party. That, the Respondent No. 1 has no grievance, objection or claim of any nature whatsoever against the Applicants in respect of the aforesaid FIR/Complaint and all proceedings arising therefrom. In paragraph 6 of the Affidavit, Respondent No. 1 has given consent to quashing and setting aside of the aforesaid FIR/Complaint and all criminal proceedings arising therefrom, including chargesheet, trial or ancillary proceedings pending before the Court. Respondent No. 1 in paragraph 10 of the Consent Affidavit, has specifically stated that he is ready to withdraw the civil cases against Applicants pending on the file of Hon'ble Civil Judge (S.D.), at Vasai, Palghar being Special Civil Suit No. 112 of 2020 and Special Civil Suit No. 69 of 2020.

9. Perusal of the Consent Terms dated 13th February 2026, indicates that the parties have amicably settled all disputes and have no grievance or objection or claims whatsoever against each others.

10. The scope of the High Court's inherent power under Section 482 of the Code of Criminal Procedure has been elaborately discussed by

the Hon'ble Supreme Court in the case of *Narinder Singh v. State of Punjab* (2014) 6 SCC 466. The Supreme Court categorically held that the power to quash criminal proceedings under Section 482 of the Code is distinct and different from the power given to a criminal court for compounding offences under Section 320 of the Code. Even in cases involving non-compoundable offences, the High Court possesses the inherent jurisdiction to quash the proceedings where the parties have settled the matter between themselves. While this power is not to be exercised in prosecutions involving heinous and serious offences of mental depravity or crimes against society, criminal cases having an overwhelmingly and predominantly civil character, or where the wrong is basically private or personal in nature, should be quashed when the parties have resolved their entire disputes. The ultimate guiding factors for the Court in exercising this inherent power are to secure the ends of justice or to prevent the abuse of the process of any court.

11. In the present case, as the parties have amicably resolved their private dispute and decided to live peacefully in the future, continuing the criminal proceedings would be contrary to the interest of justice. Therefore, to secure the ends of justice and promote harmony between the parties, this Court finds it appropriate to accept the settlement and quash the FIR and all consequent proceedings.

12. In view of the above and this being purely a civil dispute, I am

inclined to quash the FIR No. 198 of 2022 dated 1st June 2022 registered with the Arnala Sagari Police Station and R.C.C. No. 2267 of 2023.

13. As I expressed my opinion for quashing of the aforesaid crime in question, learned Advocate for the Petitioners on instructions submitted that, for quashing of the said crime, the Petitioners will jointly or severally pay a cost of Rs. 1,50,000/- to 'Armed Forces Battle Casualties Welfare Fund', within a period of two weeks from the date of uploading of present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to the court.

14. Learned Advocate for the Respondent No. 1 submitted that, as Respondent No. 1 is successful in settlement of the matter, due to lodgment of present crime, Respondent No. 1 will also voluntarily pay a cost of Rs. 1,00,000/- to the "Armed Forces Battle Casualties Welfare Fund", within a period of two weeks from the date of uploading of the present Order on the official website of the High Court of Bombay. The said statement is accepted as an undertaking given to this Court.

15. I therefore direct the Petitioners to pay cost of Rs. 1,50,000/- jointly or severally and Respondent No. 1 to pay a cost of Rs. 1,00,000/- to the "Armed Forces Battle Casualties Welfare Fund", within a period of two weeks from the date of uploading of present Order on the official website of High court of Bombay. Details of the bank account for payment of cost are as under :-

Account Name :- Armed Forces Battle Casualties
Welfare Fund.
Account Number :- 90552010165915.
Bank Name :- Canara Bank.
Branch :- South Block, Defence Headquarters,
New Delhi – 110 011.
IFSC Code :- CNRB0019055.

16. The Petitioners and Respondent No. 1 to deposit the said cost within stipulated period as noted above and submit receipts of the same in the Registry of this court.

17. In view of the above and subject to payment of costs by Petitioners, so also by Respondent No. 1, within stipulated period as noted above, the Petition is allowed in terms of prayer clause (a).

18. It is made clear that, if the said cost is not paid within stipulated period as mentioned above, the Petition shall stand revived automatically and in that event, the trial Court will proceed with the said case expeditiously.

19. List the Petition on 30th April 2026, under the caption “For Reporting Compliance”.

20. All the concerned to act on authenticated copy of this Order.

(RANJITSINHA RAJA BHONSALE, J.)