

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

CRIMINAL APPLICATION NO. 1346 OF 2025

Ramlal Savtaram Bishnoi and another.

... Applicants.

Vs.

The State of Maharashtra and another.

... Respondents

Mr.B.B.Tiwari with Akshata Shinde for the Applicants.

Mr.Amit A. Palkar, APP for the Respondent-State.

Mr.Pritesh Upadhyay for Respondent No.2.

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CORAM : RANJITSINHA RAJA BHONSALE , J.

DATED : 13th FEBRUARY 2026.

P. C. :-

1. The Applicants, accused in C.C. No.566/PW/2017, pending on the file of Additional Chief Judicial Magistrate (4th Court), Girgaon, Mumbai, arising out of C.R. No.75 of 2016 dated 12th February 2016, registered with V.P. Road Police Station, Mumbai, under Sections 420 and 34 of the Indian Penal Code, have filed this Application under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing of the said case, with the consent of Respondent No.2, the informant.

2. Mr.Tiwari, learned Advocate appearing for Applicants, submitted that, during the pendency of the proceedings, the Applicants and Respondent No.2 have amicably resolved and sorted out the disputes and

differences between them. He submits that the dispute arose between the parties out of financial transaction inasmuch as the Respondent No.2/ the original Complainant had invested an amount of Rs.90 lakh in the partnership firm of Applicant Nos.1 and 2, namely Seema Bangles. He submits that FIR also indicates that an amount of Rs.18 lakh has been returned to the Complainant.

3. Mr.Upadhyay, learned Advocate appearing for Respondent No.2 concedes to the fact of settlement of disputes between the parties. He submits that Respondent No.2 has filed a Consent Affidavit dated 30th January 2026 duly affirmed before the Notary Public. In paragraph-3 of the said Affidavit, Respondent No.2 has admitted that an amount of Rs.18 lakh was returned to him in the year 2013 and that, between year 2021 to August 2025, the Applicants have cumulatively repaid balance amount of Rs.72 lakh to him. In paragraph No.5 of the said Affidavit, the Respondent No.2 has specifically stated that he does not intend to further prosecute the C.R. in question and has given his consent for withdrawal of the criminal proceedings.

4. Respondent No.2 is personally present in the Court and through his Advocate reiterates the contents of his Affidavit dated 30th January 2026 and his consent for quashing of the crime in question.

5. Perusal of the FIR itself indicates that certain amounts were repaid to the Complainant before filing of the FIR. The parties have settled their disputes and the monies have admittedly been received by the Complainant. Pertinent to note that, both the parties are from the same village. In view of the settlement, there is no reason to permit the criminal proceedings to continue.

6. In view of the above, I am inclined to quash C.C. No.566/PW/2017, pending on the file of Additional Chief Judicial Magistrate (4th Court), Girgaon, Mumbai, arising out of C.R. No.75 of 2016 dated 12th February 2016, registered with V.P. Road Police Station, Mumbai.

7. As I have expressed my opinion for quashing of said C.C. No.566/PW/2017, pending on the file of Additional Chief Judicial Magistrate (4th Court), Girgaon, Mumbai, arising out of C.R. No.75 of 2016 dated 12th February 2016, registered with V.P. Road Police Station, Mumbai, learned Advocate for the Applicants, on instructions submitted that, for quashing of the said crime, the Applicants will voluntarily pay a cost of Rs.75,000/- 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 statement is accepted.

8. Learned Advocate appearing for Respondent No.2 also submitted that, as Respondent No.2 is successful in settlement of the matter, due to

lodgment of present crime, Respondent No.2 will also voluntarily pay a cost of Rs.75,000/- 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 the High Court of Bombay. The statement is accepted.

9. I, therefore, direct the Applicants and Respondent No.2 to pay a cost of Rs.75,000/- each 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, Mumbai. The details of the bank account for payment of cost are as under :-

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

10. Applicants and Respondent No.2 to deposit the said cost within stipulated period as noted above and submit receipt(s) of the same in the Registry of this Court.

11. In view of the above and subject to payment of cost by the Applicants, so also by Respondent No.2, within stipulated period as noted above, Petition is allowed in terms of prayer clause (1).

12. It is made clear that, if the said cost is not paid within stipulated period as mentioned above, the Application shall stand revived automatically and in that event, the trial Court will proceed with the said case expeditiously.
13. List the Application on 13th March 2026, under the caption 'for reporting compliance'.
14. All the concerned to act on an authenticated copy of this Order.

(RANJITSINHA RAJA BHONSALE, J.)