

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

CRIMINAL APPLICATION NO.1462 OF 2025

Deepak K Jagtap : Applicant
Versus
The State of Maharashtra & Anr. : Respondents.

Mr. Adhik Kadam a/w Mr. Tanvir Jahagirdar for the Applicant,
Mr. Tanveer Khan, APP for the Respondent.
Mr. Imran Shaikh, for the Respondent No.2.

CORAM : ASHWIN D. BHOBE, J.

DATED : 26 FEBRUARY 2026

PC:-

1. Heard Mr. Adhik Kadam, learned Advocate for the Applicant, Mr. Tanveer Khan, learned APP for the Respondent/State and Mr. Imran Shaikh, learned Advocate for Respondent No.2.

2. This Application under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 is preferred by the Applicant for quashing the FIR bearing CR No.841 of 2022 dated 11 December 2022, registered with Nigadi Police Station, Pune

for the offences punishable under Sections 409, 420, 406, 34 of the Indian Penal Code.

3. Applicant is present in the Court and is identified by his Advocate Adhik Kadam. He tenders the Photostat copy of the Identity Card of the Applicant, which is taken on record and marked as “X” for identification.

4. Respondent No.2 is present in the Court and is identified by his Advocate Mr. Imran Shaikh. He tenders the Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for identification.

5. Mr. Imran Shaikh states that the Affidavit dated 26 February 2026 affirmed by Respondent No.2 before the Notary Dilipkumar Borana is placed on record, the same is marked as “X-2” for identification.

6. 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 states that the contents of the Affidavit (X-2) are as per his say. He reiterates his no objection for quashing of the criminal proceedings.

7. Mr. Adhik Kadam and Mr. Imran Shaikh submit that the subject matter of the impugned FIR was a dispute which pertains to a private contractual dispute. They submit that the said dispute has been amicably resolved by the parties. They submit that the dispute does not involve any public fund nor connect to any public institutions or financial institutions. They submit that the Respondent No.2 in his Affidavit (X-2) has given no objection for quashing of the criminal proceedings. They rely on paragraph Nos. 3 and 4 which are transcribed herein below in verbatim :-

“3. I say and submit that applicant tried to settle the matter amicably. Thereafter applicant and I both parties to the dispute agreed to amicably settle their issues and accordingly MOU dated 28 October 2025 was executed between me and applicant and as per the said MOU I received my partial investments amount and cheques and settled the dispute amicably.

4. I say that since we have settled the matter amongst ourselves. I given my consent for quashing of the FIR against all the applicant as set out in the petition. I say that I am

Respondent number 2 in the petition and has received notice and copy of this quashing petition from the applicant and accordingly I withdraw all the allegations against the applicant unconditionally.”

8. Mr. Adhik Kadam and Mr. Imran Shaikh submit that the Respondent No. 2 is present in Court. Respondent No.2 Iranna Hanumant Bhusnure, in the presence of the Advocates, states that the dispute between him and the Applicant is settled and he has no objection for quashing of the FIR.

9. Mr. Tanveer Khan, learned APP for the Respondent/State, submits that a private contractual dispute was given a criminal flavour and the police machinery was used to settle such dispute. He, however, submits that in view of the statement made by the Respondent No.2, who is present in Court and his Affidavit (X-2), he has no objection for quashing the criminal proceedings. He, however, insists for imposition of exemplary costs.

10. Mr. Adhik Kadam and Mr. Imran Shaikh, on instructions, submit that the Applicant and Respondent No.2 shall deposit

appropriate costs.

11. Considering the aforesaid circumstances, the nature of dispute being a private contractual dispute between the Applicant and Respondent No.2, the matter being settled between the Applicant and the Respondent No.2, the statements made by Respondent No. 2 in the Affidavit (X-2), no useful purpose is likely to be served by allowing a criminal prosecution to continue. Having regards to the pronouncements of the Hon'ble Supreme Court in the case of *Gian Singh vs State Of Punjab*¹, *Narinder Singh And Ors vs State Of Punjab And Anr*², *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³, and *Madhavrao Jiwajirao Scindia & ors Vs. Sambhajirao Chandrojirao Angre & ors.*⁴ there is no impediment in allowing this Application.

12. In view of the above, Criminal Application No.1462 of 2025 is allowed in terms of prayer clause (a) subject to

¹ 2012 10 SCC 303

² 2014 6 SCC 466

³ 2017 9 SCC 641

⁴ (1998) 1 SCC 692

payment of costs of Rs.50,000/- (Rs.25,000/- by the Applicant and Rs.25,000/- by the Respondent No.2). Payment of costs is a condition precedence. Consequently, the impugned FIR bearing CR No.841 of 2022 dated 11 December 2022, registered with Nigadi Police Station, Pune is quashed.

13. The Applicants and the Respondent No.2 shall deposit the costs of Rs.25,000/- each in the below mentioned Account within a period of two weeks from today and file in the Registry of this Court the compliance affidavit along with the proof of deposit on or before 18 March 2026.

Deepstambh Foundation, Delhi

Bank Name : ICICI Bank
Account Name : Deepstambh Foundation Delhi
Account Number : 697401700986
Account Type : Savings
IFSC Code : ICIC0006974
MICR Code : 425229003

14. The Criminal Application No.1462 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)