

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1530 OF 2025

Nishant Thomas Desouza ... Applicant

V/s.

The State of Maharashtra & Anr. ... Respondents

Mr. Ninad Mujumdar, Advocate for Applicant.

Mr. Vishwatej Jadhav, Advocate for Respondent No. 2.

Mr. Tanveer Khan, APP for the State.

Ms. Usha Khose – PSI, Pairavi Officer, present in Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 16^h JANUARY, 2026.

P.C. :

1. By the present Application, Applicant is seeking sought
for substantive reliefs :-

“b) That this Hon’ble Court may be pleased to quash and set aside the impugned First Information Report bearing Crime No. 206 of 2024, dated 18/04/2024, registered with MHB Colony Police Station, Mumbai, for offences punishable under Sections 354, 354A, 354D, 509, 500, 506 and 34 of the Indian Penal Code, 1860, along with the consequent charge sheet bearing No. 1079/PW/2025 pending before the Learned 68th Judicial Magistrate (First Class), Borivali, Mumbai, and all further proceedings arising therefrom, as against the Applicant.”

2. Applicant in person along with his Advocate Mr. Ninad Mujumdar is present in Court. Respondent No. 2 is present in Court along with her Advocate Mr. Vishwatej Jadhav. Mr. Vishwatej Jadhav, learned Advocate for Respondent No. 2, undertakes to file the Vakalatnama on behalf of Respondent No. 2.

3. Advocates Mr. Ninad Mujumdar and Mr. Vishwatej Jadhav submit that the consent affidavit of the Respondent No. 2 is filed alongwith the Application at Exhibit - B (page nos. 47 to 50 of the paper book). Said affidavit is marked 'X' for identification.

4. Respondent No. 2 (Ms. Reisha Uday Bhat) who is present in Court, admits her signature on the affidavit ('X'), at point 'A' on page no. 49. She states that the said affidavit is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of paragraph Nos. 1 to 9 of the affidavit are as per her say. She states that the dispute between her and the Applicant has been resolved amicably. She

states that the FIR filed by her was a result of misunderstanding between her and the Applicant. She further states that she now, having realized the mistake, does not intend to pursue the complaint and gives her consent to quash the impugned FIR and the charge sheet bearing No. 1079/PW/2025 pending before the Learned 68th Judicial Magistrate (First Class), Borivali, Mumbai.

5. Applicant who is present in Court states that he and the Respondent No. 2 have resolved the dispute between them.

6. Mr. Ninad Mujumdar and and Mr. Vishwatej Jadhav , submits that the matter being amicably resolved between the Applicant and Respondent No. 2, no purpose would be served in continuing with the criminal proceedings and therefore pray for quashing of the same.

7. Mr. Tanveer Khan, learned APP for the State, submits that the Applicant and Respondent No. 2, having resolved the disputes and considering the statements made by the Respondent No. 2 today before this court of not intending to pursue the

criminal proceedings, on account of settlement, he submits that the impugned FIR be quashed.

8. Considering the facts stated herein above, the statements made by the Respondent No. 2 in the the affidavit ('X') as also the statements made today before this Court by the Respondent No. 2 that the differences between the parties being settled, the Respondent no. 2 does not wish to proceed with the prosecution, guided by the decision of the Hon'ble Supreme Court in the case of *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr*¹, I deem it fit and proper to exercise powers under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') to quash the criminal proceedings.

9. In view of the above, the application is allowed in terms of prayer clause (B). Consequently, the First Information Report bearing Crime No. 206 of 2024, dated 18/04/2024, registered with MHB Colony Police Station, Mumbai and the charge sheet bearing No. 1079/PW/2025 pending before the

¹ (2017) 9 SCC 641.

Learned 68th Judicial Magistrate (First Class), Borivali, Mumbai, are quashed. Criminal proceedings arising out of the impugned FIR are closed.

10. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)