

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 204 OF 2026

Allwyn Krishna Rao & Anr. ... Petitioners.

V/s.

The State of Maharashtra & Anr. ... Respondents.

Mr. Zoheb Merchant, Advocate for Petitioners.

Mr. Kiran Shinde, APP for Respondent/State.

Mr. Galib Shaikh, Advocate for Respondent No. 2.

CORAM : ASHWIN D. BHOBE, J.

DATE : 22nd JANUARY, 2026.

P.C. :

1. This Petition under Article 226 of the Constitution of India and under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is preferred for quashing of FIR bearing No. 66 of 2025 dated 5th March, 2025 registered with Colaba Police Station, Colaba for offence punishable under section 120-B, 420, 465, 467, 468 and 471 of the Indian Penal Code.

2. Mr. Zoheb Merchant, learned Advocate for the Petitioners alongwith Petitioners are present in the court. Mr. Galib Shaikh, learned Advocate for the Respondent No. 2 states that the Respondent No. 2 is present in the court and he identifies her. Mr. Merchant and Mr. Shaikh, learned Advocates on instructions from the parties present state that the parties have resolved their differences and have settled the dispute. They state that in view of the settlement, the Respondent No. 2 has no objection for quashing the proceedings.

3. Mr. Shaikh, learned Advocate for the Respondent No. 2 tenders copy of the affidavit dated 22nd January, 2026 affirmed by the Respondent No. 2 before the Notary S.N. Dhange, Mumbai, same is taken on record and marked “X” for identification. Respondent No.2 Mrs. Sushila Nityanand Billava, who is present in the Court states that the affidavit has been filed by her out of her free will and without any pressure or coercion from any person. She states that the contents of the affidavit (“X”) are as per her say. She states that she and the Petitioners have amicably settled the dispute and the Petitioner No. 1 has paid an amount of Rs.

23,50,000/- to the Respondent No. 2 by way of Demand Draft. She therefore, states that she has no objection for quashing of criminal proceedings against the Petitioners.

4. Mr. Kiran Shinde, learned APP for the State submits that in view of the affidavit ("X") filed by the Respondent No. 2 and the statement made by the Respondent No. 2 of she having settled the dispute with the Petitioners, no purpose would be served in continuing with the criminal proceedings and as such, he states that the criminal proceedings can be quashed.

5. Considering the amicable settlement between parties, the statements made by the Respondent No. 2 in her Affidavit ("X"), the nature of dispute and having regards to the judicial pronouncements in the case of *Gian Singh v. State of Punjab*¹, *Narinder Singh & ors v. State of Madhya Pradesh*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, there is no impediment if this Petition is allowed. I therefore deem it fit and proper to exercise the power

¹(2012) 10 SCC 303

² 2025 SCC Online SC 466

³(2017) 9 SCC 641

under Section 528 of BNSS and quash the criminal proceedings.

6. The Petition is allowed in terms of prayer clause (b). Consequently, FIR bearing No. 66 of 2025 dated 5.3.2025 registered with Colaba Police Station , Mumbai for offence punishable under sections 120-B, 420, 465, 467, 468 and 471 of the Indian Penal Code is quashed.

7. There shall be no order as to costs.

(ASHWIN D. BHOBE, J.)