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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 219 OF 2026

Narendra Janardhan Pathak & Anr. ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Ms. Mayuri Hatle, Mr. Sameer Hatle i/b Mr. Amit Mishra, Advocate
for the Petitioner.

Mr. Sunny Jain, Advocate for Respondent No. 2.

Ms. Pallavi Dabholkar, APP for Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th JANUARY, 2026.

P.C. :

1. By the present Petition, the Petitioner had sought for
the following substantive reliefs :-

*“a) The Petitioners by way of this Petition filed under
Article 226 of the Constitution of India, prays for a
Writ of Mandamus to quash and set aside the FIR No.
1194 of 2025 registered with Respondent No. 1 and
CR No. 119 investigated by EOW Mumbai Unit-1”*

2. Petitioner No. 2 is present in Court along with his
Advocate Ms. Mayuri Hatle, Petitioner No. 1 appears through V. C.
Ms. Mayuri Hatle, identifies the Petitioner No. 1 appearing through

V.C. She tenders photostat copies of the identity cards of the Petitioner Nos. 1 & 2, which are taken on record and marked '**X-1colly**' for identification.

3. Respondent No. 2 is present in Court along with his Advocate Mr. Sunny Jain.

4. Ms. Mayuri Hatle, learned Advocate for Petitioners and Mr. Sunny Jain, learned Advocate for Respondent No. 2, jointly submit that the subject matter of the impugned FIR has been amicably resolved and settled by the Petitioners and Respondent No. 2. They submit that consent terms dated 7th January, 2026 are filed before the Court of the Sessions for Brihan Mumbai at Bombay in Anticipatory Bail Application No. 102552 of 2025.

5. Mr. Sunny Jain, tenders affidavit dated 17th January, 2026 affirmed by the Respondent No.2 before Notary Dr. T. C. Kaushik along with the photostat copy of the consent terms filed before the Sessions Court for Brihan Mumbai. Said affidavit dated 17th January, 2026 along with the consent terms are taken on record and marked '**X-1 colly**' for identification.

6. Respondent No. 2 (Ravindar Kumar D. Nayak) states that the affidavit '**X-1 colly**' is filed out of his own free will and without any pressure or coercion from any person. He states that the contents of paragraph Nos.1 to 11 of the affidavit '**X-1 colly**' are as per his say. He submits that the matter between him and the Petitioners is amicably resolved and he has no objection to quashing of the complaint / criminal proceedings.

7. Petitioner No. 1 appearing through V. C. and Petitioner No. 2 present in Court state that the issues between the Petitioners and Respondent No. 2 are amicably resolved as per the consent terms dated 7th January, 2026 filed in Anticipatory Bail Application No. 102552 of 2025.

8. Ms. Mayuri Hatle and Mr. Sunny Jain submit that the matter being amicably resolved between the parties, the criminal proceedings against the Petitioners may not be continued and the same be quashed.

9. Ms. Pallavi Dabholkar, learned APP for Respondent State, submits that the matter being resolved between the parties

as stated in the affidavit 'X-1 colly', no purpose would be served in continuing with the criminal proceedings and therefore she states that the FIR be quashed.

10. Matter between the Petitioners and the Respondent No.2 being resolved, there is no hurdle for entertaining the present Petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita . Useful reference can be made to the decision of the Hon'ble Supreme Court in the case of *Gian Singh v. State of Punjab*¹.

11. Considering the statement made by Respondent No. 2 in the affidavit ('X-1 colly') this Petition is allowed in terms of prayer clause (a). Consequently, the impugned FIR bearing No. 1194 of 2025 registered with the Amboli Police Station and EOW Mumbai Unit – I, Mumbai is quashed.

12. Writ Petition is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)

¹ (2012) 10 SCC 303