

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 427 OF 2026

Amol Nandaram Tambe

... Petitioner

V/s.

The State of Maharashtra & Anr.

... Respondents

Ms. Aditi Naikare, for the Petitioner.

Mr. Amol Tambe, Petitioner is present in Court.

Ms. Darshana Kambli, for the Respondent No. 2.

Ms. Rupali Amit Phakade, Respondent No. 2, is present.

Mr. K. C. Shinde, APP for Respondent - State.

PSI Jitendrasingh Pardeshi, North Mahalunge Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th FEBRUARY, 2026.

P.C. :

1. Heard Ms. Aditi Naikare, learned Advocate for the Petitioner, Mr. K. C. Shinde, learned APP for the Respondent - State and Ms. Darshana Kambli, learned Advocate for Respondent No.2.

2. This Petition under Article 226 of the Constitution of India and under Section 528 of the Bhartiya Nyaya Sanhita, 2023 is preferred by the Petitioner for quashing the FIR bearing No. 195 of 2025 registered with Mhalunge MIDC Police Station, Pune, for the

offences punishable under Sections 75(2), 78 and 351(3) of Bhartiya Nyaya Sanhita, 2023 and the chargesheet dated 4th April, 2025 registered Sessions Case No. 31 of 2025 pending before the Sessions Judge, Rajgurunagar, Pune.

3. Petitioner is present in the Court and is identified by his Advocate Ms Aditi Naikare. She tenders the Photostat copy of the Identity Card of Petitioner, which is taken on record and marked as “X” for identification.

4. Respondent No.2 is present the Court and is identified by her Advocate Ms. Darshana Kambli. She tenders Photostat copy of Identity Card of Respondent No.2, which is taken on record and marked as “X-1” for identification.

5. Advocate Ms. Aditi Naikare, and Ms. Darshana Kambli, submit that the Petitioner and the Respondent No.2 have amicably resolved their dispute. They submit that the Respondent No.2 and the Petitioner were friends and were having friendly relations. They submit that it was on account of a misunderstanding that the Respondent No.2 lodged a complaint against the Petitioner,

making allegations which were uncalled for. They submit that the misunderstanding between the parties is resolved and the Respondent No.2 has agreed to give no objection for quashing of the criminal complaint.

6. Ms. Darshana Kambli, states that the Affidavit dated 5th January, 2026 affirmed by Respondent No.2 before the Registry, Mr. Bidhu Panicker, is placed on record. The same is marked as “**X-2**” for identification.

7. Respondent No. 2 states that the said Affidavit (X-2) is filed out of her own free will and without any pressure or coercion from any person. She states that the contents of the Affidavit (X-2) are as per her say. She reiterates her no objection for quashing of the criminal proceedings.

8. Mr. K. Shinde, learned APP submits that the Respondent No.2 apparently has taken proceedings for granted. He submits that police machinery was put in action in view of the complaint filed by the Respondent No.2. He however submits that the Respondent No.2 now having resolved the dispute with Petitioner,

and having filed the Affidavit (X-2), no purpose would be served in continuing with the criminal proceedings. He therefore submits that the criminal proceedings be quashed subject to imposition of cost.

9. Ms. Aditi Naikare and Ms. Darshana Kamble, on instructions from Petitioner and the Respondent No.2 who are present in Court states that they would pay appropriate cost.

10. Considering the aforesaid circumstances, the nature of dispute, the matter being settled between the Petitioner and the Respondent No.2, the Respondent No.2 having given her no objection in the Affidavit (X-2) and 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 and *Parbatbhai Aahir @ Parbatbhai vs The State Of Gujarat*³, there is no impediment in allowing this Application.

11. In view of the above, Writ Petition No. 427 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

Rs.50,000/- as condition precedent. Consequently, the impugned FIR bearing No. 195 of 2025 dated 1st April, 2025 registered with the Mhalunge MIDC Police Station and the chargesheet dated 4th April, 2025 registered Sessions Case No. 31 of 2025 pending before the Sessions Judge, Rajgurunagar, Pune are quashed.

12. The Petitioner shall deposit a cost of Rs. 25,000/- in the below mentioned Account of the High Court Employees Medical Welfare Fund at Mumbai within a period of two weeks from today.

The High Court Employees Medical Welfare Fund at Mumbai	
Account No. :	000120110001337
Bank:	Bank of India
Branch:	Mumbai Main
IFSC Code:	BKID0000001

13. The Respondent No.2 shall deposit a cost of Rs. 25,000/- in the below mentioned Account of the Central Police Welfare Fund within a period of two weeks from today.

Central Police Welfare Fund	
Account No. :	914010029005759
Bank:	Axis Bank Limited
Branch:	Worli, Mumbai (M.H.), Mumbai - 400 025
IFSC Code:	UTIB0000060

14. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 10th March, 2026

(ASHWIN D. BHOBE, J.)