

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 470 OF 2026**

Ganesh Kondibhau Temgire

... Petitioner

Versus

The State Of Maharashtra And Anr.

... Respondents

Mr. Arvind Taral, for the Petitioner.

Mr Ajitsingh Ghorpade, for the Respondent No. 2.

Mrs. Rajeshree Newton, APP for the Respondent – State.

PSI Santosh Jadhav, Pant Nagar Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 9th April, 2026.

P.C. :

1. Heard Mr. Arvind Taral, learned Advocate for the Petitioner, Mrs. Rajeshree Newton, learned APP for the Respondent – State and Mr. Ajitsingh Ghorpade, learned Advocate for the Respondent No. 2.

2. At the outset, Mr. Avinash Taral, learned Advocate for the Petitioner states that during the pendency of the present Petition, chargesheet was filed. He therefore seeks leave to amend the prayer clause of the Petition to include a prayer regarding the

chargesheet. The request made by Mr. Avinash Taral, is not objected to by Mrs. Rajeshree Newton, learned APP or Mr. Ajitsingh Ghorpade, learned Advocate for the Respondent No. 2. In view of the no objection leave to amend granted. Mr. Avinash Taral states that the amendment will be carried out forthwith. Permission granted.

3. This Petition under Article 226 of the Constitution of India and Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed by the Petitioner seeking to quash FIR No. 0727 of 2024, dated 29.08.2024, registered at Pant Nagar Police Station, Mumbai (hereinafter “impugned FIR”), for offences punishable under Sections 74, 79, 115(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, and the chargesheet bearing No. 1344/PW/2024, filed on 25.10.2024.

4. Mr. Arvind Taral and Mr. Ajitsingh Ghorpade submit that the impugned FIR is a matter arising out of a family dispute between the Petitioner’s family and the family of the Respondent No. 2 regarding an ancestral property. They further submit that, in view of the said dispute, the family members have filed complaints and

cross-complaints against each other. They further submit that, by a memorandum of understanding dated 12.12.2025 (Exhibit – E, at pages 20 to 26 of the Petition paper book), the parties have amicably resolved the entire family dispute. They further submit that, in view of the settlement of the family dispute, the Respondent No. 2 has no objection to the quashing of the impugned FIR. They further submit that other family members have also applied to quash the respective FIRs by consent. They therefore submit that the impugned FIR be quashed.

5. The Petitioner is present in Court and is identified by his Advocate Mr. Arvind Taral. He tenders photocopy of the identity card of the Petitioner, which is taken on record and marked as “X” for identification.

6. Respondent No. 2 is present in Court and is identified by her Advocate Mr. Ajitsingh Ghorpade. He submits a photocopy of Respondent No.2's identity card, which is taken on record and marked as “X-1” for identification.

7. Mr. Ajitsingh Ghorpade states that the Affidavit dated

06.03.2026 affirmed by the Respondent No. 2, before the Notary Manav Hariom B., Mumbai, is placed on record, the same is marked as “X-2” for identification.

8. Respondent No. 2 states that she has filed the Affidavit (X-2) of her own free will, without any force or coercion from anyone. She states that the contents of the Affidavit (X-2) are true and as per her say. She states that the impugned FIR was filed due to a private property dispute and out of anger against the Petitioner. She states that her relationship with the Petitioner is that of a brother and sister. She states that, in view of the settlement of the property dispute, she does not intend to continue the criminal proceedings and wishes to end them. She states that she has no grievance whatsoever against the Petitioner. She states that she has no objection to the quashing of the impugned FIR and the chargesheet arising out of the impugned FIR. She submits that the other family members have also decided to quash the other FIRs filed against each other in view of the amicable settlement of the family dispute. She reiterates her no objection to the quashing of the impugned FIR and the chargesheet arising out of the impugned

FIR. She therefore requests the quashing of the criminal proceedings.

9. Ms. Rajeshree Newton, learned APP for the Respondent – State, submits that from the statement made by the Respondent No. 2 today, it is apparent that a private family dispute was unnecessarily dragged to the Police Station by making allegations that now appear to be uncalled for. She submits that, in view of the statements made by the Respondent No. 2 today before this Court, her statements and the no objection in the Affidavit (X-2) and the memorandum of understanding dated 12.12.2025, she does not object to the quashing of the impugned FIR and the chargesheet arising out of the impugned FIR. However, considering the manner in which the Respondent No. 2 and the Petitioner have taken up these proceedings before the Police, she insists on the imposition of exemplary costs on the Respondent No. 2 as well as the Petitioner.

10. Mr. Arvind Taral and Mr. Ajitsingh Ghorpade, learned Advocates for the parties, on instructions from the Petitioner and the Respondent No. 2, state that they shall pay appropriate costs.

11. Considering the facts mentioned hereinabove, the submissions of the learned Advocates, the dispute being over a private property matter, the statements made by Respondent No. 2 before this Court, more so her statement that her relationship with the Petitioner is that of a brother and sister and her no-objection in her Affidavit (X-2), no useful purpose would be served by continuing the criminal proceedings. Having regard 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 Petition.

12. In view of the above, Writ Petition No. 470 of 2026 is allowed in terms of prayer clause (b), subject to payment of cost of Rs. 25,000/- by the Petitioner and cost of Rs. 25,000/- by the Respondent No. 2. Payment of costs is a condition precedent. Consequently, the impugned FIR and the chargesheet arising out of the impugned FIR are quashed.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641
Arjun

13. The Petitioner shall deposit the cost of Rs. 25,000/- in the account mentioned below within three (3) weeks from today.

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

14. The Respondent No. 2 shall deposit the cost of Rs. 25,000/- in the account mentioned below within three (3) 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

15. The compliance affidavit, along with the proof of deposit, shall be filed by the Petitioner and Respondent No. 2 with the Registry of this Court on or before 08.05.2026.

16. Writ Petition No. 470 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)