

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 514 OF 2026

Amol Kisanrao Jadhav And Anr.

...Petitioners

Versus

The State of Maharashtra And Anr.

...Respondents

Mr. Parvez Menon a/w Mr. Nimeet Sharma i/b MZM Legal LLP, learned Advocates for the Petitioners.

Both the Petitioners are present in the Court.

Mr. Tanveer G. Khan, learned A.P.P. for the State/Respondent.

Mr. Hare Krishna Mishra, learned Advocate for Respondent No. 2/Complainant.

Respondent No. 2 is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 6th FEBRUARY 2026.

P.C. :

1. Heard Mr. Parvez Menon, learned Advocate for the Petitioners, Mr. Tanveer Khan, learned A.P.P. for the State/Respondent and Mr. Hare Krishna Mishra, learned Advocate for Respondent No. 2/Complainant.

2. This Petition is preferred by the Petitioners under Article 226 of the Constitution of India and under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for quashing of the First Information Report bearing No. 34 of 2019 dated 26.03.2019 registered with Nhava Sheva Police Station, Navi Mumbai for the offences punishable under Sections 336, 337 & 338 read with

Section 34 of the Indian Penal Code, 1860 and the charge-sheet bearing No. 50 of 2019 dated 19.09.2019 culminating into SCC No. 297 of 2019 pending before the Judicial Magistrate First Class, Uran, Raigad, arising out of the said FIR.

3. Petitioners are present in the Court along with their Advocate Mr. Parvez Menon. Mr. Parvez Menon identifies the Petitioners and tenders the photostat copies of their Aadhar Cards as identity proof. Same are taken on record and marked as “**X Colly.**” for identification. Respondent No. 2 and his wife Mrs. Sapana Balu Shelke are present along with their Advocate Mr. Hare Krishna Mishra. Mr. Hare Krishna Mishra tenders photostat copy of the Aadhar Card of Respondent No. 2 as identity proof. Same is taken on record and marked as “**X-1**” for identification.

4. Mr. Hare Krishna Mishra tenders Affidavit dated 20.01.2026 affirmed by Respondent No. 2 before the Notary Advocate Mr. Santosh N. Patil. Same is taken on record and marked as “**X-2**” for identification. Respondent No. 2, who is present in the Court, states that he has filed the said Affidavit dated 20.01.2026 (X-2) out of his own free will and without any pressure, force or coercion from any person. He states that the contents of Affidavit dated 20.01.2026 (X-2) are as per his say. He reiterates that the dispute between him and the Petitioners is amicably resolved, as such he gives No Objection for quashing of the criminal proceedings.

5. Mr. Parvez Menon, learned Advocate for the Petitioners and Mr. Hare Krishna Mishra, learned Advocate for Respondent No. 2/Complainant jointly submit that the Petitioners have resolved the

dispute between them and Respondent No. 2, by a Full and Final Settlement Agreement dated 30.09.2022 and the Consent Terms dated 20.01.2026, which are at Exhibit-C (Page Nos. 59 to 70 of the paper-book), as such Respondent No. 2 has given his No Objection for quashing of the criminal proceedings initiated at his instance. They therefore submit that the criminal proceedings against the Petitioners be quashed.

6. Mr. Tanveer Khan, learned A.P.P. for the State/Respondent submits that in view of the statements made by Respondent No. 2 in the Affidavit (X-2), no purpose would be served by continuing with the criminal proceedings. He therefore submits that the impugned FIR and the criminal proceedings arising out of the said FIR can be quashed.

7. Master Yash Balu Shelke (victim), who is the son of Respondent No. 2 and Mrs. Sapana Balu Shelke, suffered injuries, resulting in lodging of the impugned FIR. Victim suffered permanent disability with reference to his hand and lost 3 fingers.

8. Mr. Parvez Menon states that an amount of Rs. 20,00,000/-, as mentioned in the Consent Terms dated 20.01.2026, was paid to Respondent No. 2 as compensation. Medical expenses were also paid by the Petitioners. Respondent No. 2 and Mrs. Sapana Balu Shelke admit receipt of the said amount.

9. Upon a query by this Court to Mr. Parvez Menon, learned Advocate for the Petitioners as to “what would be an additional amount the Petitioners are willing to offer as towards compensation considering the permanent disability suffered by

Master Yash ?”, Mr. Parvez Menon on instructions states that the Petitioners are ready to pay an additional amount of Rs. 5,00,000/- to the victim. He submits that the said amount is offered towards the need, which may arise for further education of the victim and therefore, he suggests that the said amount would be booked in a Fixed Deposit of a Nationalized Bank for a fixed tenure of 6 years from the date of obtaining the same.

10. Respondent No. 2 and Mrs. Sapana Balu Shelke expresses their gratitude towards the Petitioners and Mr. Parvez Menon for the additional compensation. Respondent No. 2 & Mrs. Sapana Balu Shelke undertake that they will not encash the said Fixed Deposit amount during the entire tenure of the deposit and the said amount would be utilized by the victim for his own purpose and need for pursuing his education, after the tenure of Fixed Deposit is over. They state that they would file an undertaking from the victim (Master Yash Balu Shelke) that he will not encash the said amount of Fixed Deposit till completion of its tenure. They state that such an undertaking would be filed within a period of 10 days from today.

11. Mr. Parvez Menon, learned Advocate for the Petitioners states that Fixed Deposit Receipt would be produced in this Court within a period of two weeks from today.

12. It is clarified that the original Fixed Deposit Receipt, which would be deposited in this Court, will be handed over to the victim Master Yash Balu Shelke subject to filing of his undertaking.

13. This Court appreciates the goodwill gesture of Petitioners as well as Mr. Parvez Menon, learned Advocate for the Petitioners.

14. Having regards to the facts as placed before me, the nature of dispute, the amicable settlement arrived between the parties, the statements made in Consent Terms dated 30.09.2022 & the statement made on oath by Respondent No. 2 (X-2) and having regards to the judicial pronouncements by the Hon'ble Supreme Court in the cases of *Gian Singh v/s. The State of Punjab and Another*¹, *Narinder Singh and Others v/s. State of Punjab and Another*² and *Parbatbhai Aahir Alias Parbatbhai Bhimsinbhai Karmur and Others Vs. State of Gujarat and Anr.*³, to secure ends of justice I deem it fit and proper to exercise powers under Section 528 of the BNSS to quash the criminal proceedings.

15. Criminal Writ Petition is therefore allowed in terms of prayer clause (a). Consequently, First Information Report bearing No. 34 of 2019 dated 26.03.2019 registered with Nhava Sheva Police Station, Navi Mumbai for the offences punishable under Sections 336, 337 & 338 read with Section 34 of the Indian Penal Code, 1860 and the subsequent charge-sheet bearing No. 50 of 2019 dated 19.09.2019 culminating into SCC No. 297 of 2019 pending before the Judicial Magistrate First Class, Uran, Raigad, arising out of the said FIR, are quashed. Criminal proceedings against the Petitioners arising out of the said FIR and charge-sheet are closed.

1. (2012)10 Supreme Court Cases 303.

2. (2014)6 Supreme Court Cases 466.

3. (2017) 9 SCC 641.

16. Criminal Writ Petition No. 514 of 2026 is disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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