

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 792 OF 2026

Vinayak Alias Akshay Ramakant Joshi ... Petitioner
V/S.
State Of Maharashtra And Anr. ... Respondent

Mr. Niranjan Pachupate, learned Advocate for the Petitioner.

Petitioner is present in Court.

Mr. Ashish Saxena i/b Vipul Dushing, learned Advocate for the
Respondent No. 2.

Respondent No. 2, is present in Court.

Ms. Shilpa Talhar, learned APP for the Respondent – State.

PSI R. A. Bhaskar, Dapodi Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25th FEBRUARY, 2026.

P.C. :

1. Heard Mr. Niranjan Pachupate, learned Advocate for the
Petitioner, Ms. Shilpa Talhar, learned APP for the Respondent –
State and Mr. Ashish Saxena, learned Advocate for Respondent No.

2.

2. This Petition under Article 226 of the Constitution of India,
1950 and Section 528 of the Bharatiya Nagarik Suraksha Sanhita,
2023 is preferred by the Petitioner for quashing the FIR dated

08.07.2022 bearing No. 550 of 2022 (impugned FIR) registered with Bhosari Police Station, Pune for the offences punishable under Sections 354 and 504 of the Indian Penal Code, 1860 and the Chargesheet dated 27.12.2022 bearing RCS No. 561/2022 pending before the Learned Judicial Magistrate Court, Khadki, Pune.

3. Petitioner is present in the Court and is identified by his Advocate Mr. Niranjan Pachupate. He tenders the Photostat copy of the Identity Card of the Petitioner, which is taken on record and marked as **“X”** for identification.

4. Respondent No. 2 is present in the Court and is identified by her Advocate Mr. Ashish Saxena. He tenders the Photostat copy of Identity Card of Respondent No. 2, which is taken on record and marked as **“X-1”** for identification.

5. Mr. Ashish Saxena states that the Affidavit dated 23.12.2025 affirmed by Respondent No.2 before the Notary Mr. Jaykumar Gedam is placed on record at page nos. 40 to 42 of the paper book (Exhibit-B). The same is marked as **“X-2”** for

identification.

6. 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.

7. Mr. Niranjana Pachupate and Mr. Ashish Saxena submit that the subject matter of the impugned FIR and the chargesheet is amicably settled between the Petitioner and the Respondent No. 2. They submit that the Petitioner as well as the Respondent No. 2 are neighbors and the dispute arose on account of a misunderstanding. They submit that the Respondent No. 2 in her Affidavit (X-2) has made the statements in paragraph Nos. 1 to 6. for the reason of the dispute and the resolution. Said paragraphs are referred to herein below in verbatim:

1. I am the Respondent No. 2 in the Petition anabove-captionedd the original informant/complainant at whose instance the F.I.R. bearing Cr. No. 550 of 2022 was registered with Bhosari Police Station, Pune, for offences punishable under Sections 354 and 504 of the Indian Penal Code, 1860. I am well conversant with the facts of the case

and hence, I am competent to depose to the same.

2. I say that the alleged incident dated 07.07.2022 arose out of a misunderstanding and a heat-of-the-moment verbal altercation regarding the parking of a vehicle in our residential building premises.

3. I say that since the filing of the Chargesheet (RCS No. 561/2022), elders and mutual well-wishers from our housing society intervened to mediate the dispute. With their assistance, the Petitioner and I have amicably resolved all our grievances and differences.

4. I say that the Petitioner and I are neighbours residing in the same apartment complex. To maintain social harmony and peace in our neighbourhood, we have decided to put an end to this dispute and move forward.

5. I state that I have no grievance left against the Petitioner. I am filing this affidavit of my own free will and volition, without any force, coercion, or undue influence from any party.

6. I state that I have no objection if this Hon'ble Court is pleased to quash the F.I.R. Cr. No. 550 of 2022 registered with Bhosari Police Station and the subsequent Chargesheet dated 27.12.2022 bearing RCS No. 561/2022 pending before the Learned Judicial Magistrate First Class, Khadki, Pune.

8. Ms. Shilpa Talhar, learned APP for the State submits that the Petitioner and the Respondent No. 2 had converted a simple dispute into a criminal offence and used the police machinery to settle their personal score. She however submits that in view of the settlements and the statements made by Respondent No. 2 in the

Affidavit (X-2), the criminal proceedings against the Petitioner can be quashed. However, she insists for imposition of costs.

9. Mr. Niranjan Pachupate and Mr. Ashish Saxena, on instructions from the Petitioner and the Respondent No. 2 present in the Court submit that they would deposit appropriate cost.

10. Considering the aforesaid circumstances and the submissions of the learned Advocates, the nature of dispute having a civil flavor, the matter being settled between the Applicants and the Respondent No.2, the statement of Respondent No. 2 in the Affidavit (X-2), no useful purpose is likely to be served by allowing the criminal prosecution to continue. 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 and *Madhavrao Jiwajirao Scindia & Ors. v/s. Sambhajirao Chandrojirao Angre & Ors.*⁴, there is no impediment in allowing this Petition.

1 2012 10 SCC 303

2 2014 6 SCC 466

3 2017 9 SCC 641

4 (1998) 1 SCC 692.

11. In view of the above, Writ Petition No. 792 of 2026 is allowed in terms of prayer clause (a) subject to payment of costs of Rs.50,000/- as condition precedent. Consequently, the impugned FIR bearing No. 550 of 2022 dated 27.12.2022 registered with the Bhosari Police Station and the Chargesheet bearing RCS No. 561/2022 pending before the Learned Judicial Magistrate First Class, Khadki, Pune are quashed.

12. The Petitioner shall deposit the costs of Rs. 25,000/- in the below mentioned Account of Central Police Welfare Fund within a period of three 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

13. The Respondent No. 2 deposit a cost of Rs. 25,000/- in the

below mentioned Account of High Court Employees Medical Welfare Fund at Mumbai within a period of three 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

14. The compliance affidavit along with the proof of deposit be filed in the Registry of this Court on or before 18th March, 2026.

(ASHWIN D. BHOBE, J.)

Digitally
signed by
ARJUN
KRISHNA
RODGE
Date:
2026.03.10
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+0530